

# Title 132V WAC

## COMMUNITY COLLEGES—TACOMA COMMUNITY COLLEGE

### Chapters

<b>132V-11</b>	<b>Tuition and fee waivers for full-time employees.</b>
<b>132V-15</b>	<b>Confidentiality of student records.</b>
<b>132V-22</b>	<b>Faculty tenure rights and procedures.</b>
<b>132V-24</b>	<b>Public records.</b>
<b>132V-112</b>	<b>Election procedures.</b>
<b>132V-116</b>	<b>Parking and traffic rules and regulations.</b>
<b>132V-120</b>	<b>Code of student rights and responsibilities.</b>
<b>132V-130</b>	<b>Hazing policy.</b>
<b>132V-300</b>	<b>Grievance procedure—Sexual harassment, sex discrimination, and disability discrimination.</b>
<b>132V-325</b>	<b>State Environmental Policy Act.</b>
<b>132V-400</b>	<b>Loss of eligibility—Student athletic participation.</b>

### DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

#### Chapter 132V-10 CAMPUS REGULATIONS

132V-10-001	Campus regulations. [Order 1-1969, § 132V-10-001, filed 2/19/69.] Repealed by Order 4, filed 7/24/70.
-------------	---

#### Chapter 132V-12 PERSONNEL RULES FOR THE CLASSIFIED STAFF SERVICE OF TACOMA COMMUNITY COLLEGE

132V-12-003	Purpose. [Order, § 132V-12-003, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-006	Positions covered by the rules. [Order, § 132V-12-006, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-009	Adoption of rules. [Order, § 132V-12-009, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-012	Amendment of rules. [Order, § 132V-12-012, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-015	Definitions. [Order 7, § 132V-12-015, filed 6/27/72; Order, § 132V-12-015, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-018	Organization. [Order, § 132V-12-018, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-021	Compensation. [Order, § 132V-12-021, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-024	Election of officers. [Order, § 132V-12-024, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-027	Meetings. [Order, § 132V-12-027, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-030	Powers and duties. [Order, § 132V-12-030, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).

132V-12-033	Appointment. [Order, § 132V-12-033, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-036	Powers and duties. [Order, § 132V-12-036, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-039	Content. [Order, § 132V-12-039, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-042	Amendment. [Order, § 132V-12-042, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-045	Allocation. [Order, § 132V-12-045, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-048	Interpretation of specifications. [Order, § 132V-12-048, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-051	Use in allocation. [Order, § 132V-12-051, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-054	Use in examination. [Order, § 132V-12-054, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-057	Statements of general qualifications. [Order, § 132V-12-057, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-060	Authority. [Order, § 132V-12-060, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-063	Use of class titles. [Order, § 132V-12-063, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-066	General policies. [Order, § 132V-12-066, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-069	Content. [Order, § 132V-12-069, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-072	Amendment. [Order, § 132V-12-072, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-075	Payroll certification. [Order, § 132V-12-075, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-078	Hours of work. [Order, § 132V-12-078, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-084	Rest periods. [Order, § 132V-12-084, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-087	Holidays. [Order, § 132V-12-087, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-096	Annual leave. [Order, § 132V-12-096, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-120	Sick leave. [Order, § 132V-12-120, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-144	Military training leave with pay. [Order, § 132V-12-144, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).

**Title 132V****Title 132V WAC: Tacoma Community College**

132V-12-147	Military leave without pay. [Order, § 132V-12-147, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.-140(13).	132V-12-219	Organizational units. [Order, § 132V-12-219, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-150	Leave for civil duty. [Order, § 132V-12-150, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-222	Merit lists. [Order, § 132V-12-222, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-153	Leave of absence without pay. [Order, § 132V-12-153, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.-140(13).	132V-12-225	Layoff lists. [Order, § 132V-12-225, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-165	Absence without authorized leave. [Order, § 132V-12-165, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-228	Unranked lists. [Order, § 132V-12-228, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-168	Selection by examination. [Order, § 132V-12-168, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-231	Duration of eligible lists. [Order, § 132V-12-231, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-171	Content of announcements. [Order, § 132V-12-171, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-234	Registers—Generally. [Order, § 132V-12-234, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-174	Distribution of announcements. [Order, § 132V-12-174, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-237	Registers—Departmental reduction in force—Duration. [Order, § 132V-12-237, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-177	Open competitive examinations. [Order, § 132V-12-177, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-240	Registers—Classified service-wide reduction in force—Duration. [Order, § 132V-12-240, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-180	Promotional examinations. [Order, § 132V-12-180, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-243	Registers—Intradepartmental promotion—Duration. [Order, § 132V-12-243, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-183	Forms of application. [Order, § 132V-12-183, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-246	Registers—Interdepartmental promotion—Duration. [Order, § 132V-12-246, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-186	Freedom from bias. [Order, § 132V-12-186, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-249	Registers—Departmental unranked reinstatement—Duration. [Order, § 132V-12-249, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-189	Admission to examination. [Order, § 132V-12-189, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-252	Registers—Classified service-wide unranked reinstatement—Duration. [Order, § 132V-12-252, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-192	Disqualification of applicants. [Order, § 132V-12-192, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-255	Registers—Unranked transfer—Duration. [Order, § 132V-12-255, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-195	Original examinations. [Order, § 132V-12-195, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-258	Registers—Open-competitive—Duration. [Order, § 132V-12-258, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-198	Promotional examinations. [Order, § 132V-12-198, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-261	Removal of names from eligible lists. [Order, § 132V-12-261, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-201	Noncompetitive examinations. [Order, § 132V-12-201, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-264	Comparable lists. [Order, § 132V-12-264, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-204	Open-continuous examinations. [Order, § 132V-12-204, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-267	Availability of eligibles. [Order, § 132V-12-267, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-207	Conduct of examinations. [Order, § 132V-12-207, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-270	Request for employees. [Order, § 132V-12-270, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-210	Anonymity of applicants. [Order, § 132V-12-210, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-273	Method of certification. [Order, § 132V-12-273, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-213	Rating of examinations. [Order, § 132V-12-213, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-276	Ranked lists. [Order, § 132V-12-276, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-216	Establishment and maintenance. [Order, § 132V-12-216, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-279	Related lists. [Order, § 132V-12-279, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
		132V-12-281	Selection. [Order, § 132V-12-281, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).

132V-12-284	Probationary appointments. [Order, § 132V-12-284, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-353	Election of representative organization—Notice. [Order, § 132V-12-353, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-287	Provisional appointments. [Order, § 132V-12-287, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-356	Election rules—Ballots. [Order, § 132V-12-356, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-290	Transfer. [Order, § 132V-12-290, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-359	Majority of votes required. [Order, § 132V-12-359, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-293	Demotion. [Order, § 132V-12-293, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-362	Representation upon certification. [Order, § 132V-12-362, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-296	Purpose. [Order, § 132V-12-296, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-365	Decertification. [Order, § 132V-12-365, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-299	Duration. [Order, § 132V-12-299, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-368	Personnel matters. [Order, § 132V-12-368, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-302	Dismissal during probationary period. [Order, § 132V-12-302, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-371	Grievance procedure. [Order, § 132V-12-371, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-305	Demotion during probationary period. [Order, § 132V-12-305, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-374	Payroll deduction. [Order, § 132V-12-374, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-308	Separation. [Order, § 132V-12-308, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-377	One year duration. [Order, § 132V-12-377, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-311	Resignation. [Order, § 132V-12-311, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-380	Filing—Conflict with Civil Service Act. [Order, § 132V-12-380, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-314	Reduction in force—Layoff. [Order, § 132V-12-314, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-383	Conferences on disputes. [Order, § 132V-12-383, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-317	Dismissal. [Order, § 132V-12-317, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-386	Hearing on disputes. [Order, § 132V-12-386, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-320	Abandonment of position. [Order, § 132V-12-320, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-389	Service ratings. [Order, § 132V-12-389, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-323	Disciplinary action. [Order, § 132V-12-323, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-392	Education and training. [Order, § 132V-12-392, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-326	Suspension. [Order, § 132V-12-326, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-398	Classes during working hours—Compensation—Authorization. [Order, § 132V-12-398, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-329	Demotion. [Order, § 132V-12-329, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-401	Special training programs. [Order, § 132V-12-401, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-332	Who may appeal. [Order, § 132V-12-332, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-404	Political activity. [Order, § 132V-12-404, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-335	Procedures for hearing appeals. [Order, § 132V-12-335, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-407	Outside employment. [Order, § 132V-12-407, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-338	Agreements between agencies and employee organizations. [Order, § 132V-12-338, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-410	False statements—Fraud. [Order, § 132V-12-410, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-341	Notice of intent by bargaining unit. [Order, § 132V-12-341, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-413	Bribery. [Order, § 132V-12-413, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-344	Determination of bargaining unit. [Order, § 132V-12-344, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-416	Interference by officials. [Order, § 132V-12-416, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-347	Bargaining factors. [Order, § 132V-12-347, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).	132V-12-419	Penalties. [Order, § 132V-12-419, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
132V-12-350	Certification by director—Notice of petition. [Order, § 132V-12-350, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).		

**Title 132V****Title 132V WAC: Tacoma Community College**

- 132V-12-422 Discrimination. [Order, § 132V-12-422, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
- 132V-12-425 Personnel records. [Order, § 132V-12-425, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
- 132V-12-428 Roster. [Order, § 132V-12-428, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
- 132V-12-431 Reports to the personnel director. [Order, § 132V-12-431, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).
- 132V-12-434 Public records. [Order, § 132V-12-434, filed 10/28/68.] Repealed by 97-07-048, filed 3/17/97, effective 4/17/97. Statutory Authority: RCW 28B.50.140(13).

**Chapter 132V-14****STUDENT RIGHTS AND RESPONSIBILITIES**

- 132V-14-010 Title. [Order 4, § 132V-14-010, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13).
- 132V-14-020 Definitions. [Order 4, § 132V-14-020, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-020.
- 132V-14-030 Jurisdiction. [Order 4, § 132V-14-030, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-030.
- 132V-14-040 Student rights. [Order 4, § 132V-14-040, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-040.
- 132V-14-050 Student responsibilities. [Order 4, § 132V-14-050, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-050.
- 132V-14-060 Authority of the president to prohibit trespass. [Order 4, § 132V-14-060, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-060.
- 132V-14-070 Offcampus speakers. [Order 4, § 132V-14-070, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13).
- 132V-14-080 Student records. [Order 4, § 132V-14-080, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13).
- 132V-14-090 Distribution and posting. [Order 4, § 132V-14-090, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13).

**Chapter 132V-16****DISCIPLINARY SANCTIONS AND PROCEDURES**

- 132V-16-010 Purpose of disciplinary actions. [Order 4, § 132V-16-010, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-150.
- 132V-16-020 Initiation of prosecution. [Order 4, § 132V-16-020, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-170.
- 132V-16-030 Initial disciplinary proceedings. [Order 4, § 132V-16-030, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-180.
- 132V-16-040 Appeals. [Order 4, § 132V-16-040, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-190.
- 132V-16-050 Composition of student rights and responsibilities committee. [Order 4, § 132V-16-050, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-200.
- 132V-16-060 Procedures for hearing before the student rights and responsibilities committee. [Order 4, § 132V-16-060, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-210.

- 132V-16-070 Conduct of hearings. [Order 4, § 132V-16-070, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-220.
- 132V-16-080 Evidence admissible in hearings. [Order 4, § 132V-16-080, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-230.
- 132V-16-090 Decision by the committee. [Order 4, § 132V-16-090, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-240.
- 132V-16-100 Final decision regarding disciplinary action. [Order 4, § 132V-16-100, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-250.
- 132V-16-110 Disciplinary action. [Order 4, § 132V-16-110, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-160.
- 132V-16-120 Readmission after suspension or expulsion. [Order 4, § 132V-16-120, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13).
- 132V-16-130 Reestablishment of academic standing. [Order 4, § 132V-16-130, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-260.

**Chapter 132V-18****SUMMARY SUSPENSION RULES**

- 132V-18-010 Initiation of summary suspension proceedings. [Order 4, § 132V-18-010, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-070.
- 132V-18-020 Notice of summary proceedings. [Order 4, § 132V-18-020, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-080.
- 132V-18-030 Procedures of summary suspension hearing. [Order 4, § 132V-18-030, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-090.
- 132V-18-040 Decision by dean of students. [Order 4, § 132V-18-040, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-100.
- 132V-18-050 Notice of suspension. [Order 4, § 132V-18-050, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-110.
- 132V-18-060 Suspension for failure to appear. [Order 4, § 132V-18-060, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-120.
- 132V-18-070 Appeal. [Order 4, § 132V-18-070, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-130.
- 132V-18-080 Summary suspension proceedings not duplicitous. [Order 4, § 132V-18-080, filed 7/24/70.] Repealed by 85-02-004 (Order 84-1), filed 12/21/84. Statutory Authority: RCW 28B.50.140(13). Later promulgation, see WAC 132V-120-140.

**Chapter 132V-20****POLICY FOR STUDENT-INVITED SPEAKERS**

- 132V-20-001 Policy for student-invited speakers. [Order 1-1969, § 132V-20-001, filed 2/19/69.] Repealed by Order 4, filed 7/24/70.

**Chapter 132V-30****DISCIPLINARY PROGRAMS**

- 132V-30-001 Disciplinary warning. [Order 1-1969, § 132V-30-001, filed 2/19/69.] Repealed by Order 4, filed 7/24/70.

132V-30-002	Disciplinary probation. [Order 1-1969, § 132V-30-002, filed 2/19/69.] Repealed by Order 4, filed 7/24/70.
132V-30-003	Suspension. [Order 1-1969, § 132V-30-003, filed 2/19/69.] Repealed by Order 4, filed 7/24/70.
132V-30-004	Expulsion. [Order 1-1969, § 132V-30-004, filed 2/19/69.] Repealed by Order 4, filed 7/24/70.

### Chapter 132V-11 WAC

#### TUITION AND FEE WAIVERS FOR FULL-TIME EMPLOYEES

##### WAC

132V-11-010	Tuition and fee waivers for full-time employees.
-------------	--

**WAC 132V-11-010 Tuition and fee waivers for full-time employees.** Pursuant to the authority granted by chapter 82, Laws of 1979 ex. sess. [regular sess.] [RCW 28B.15.535 (3)], the board of trustees of Tacoma Community College District 22 hereby waives tuition, operating and service and activities fees for full-time employees under the following conditions:

(1) Enrollment shall be on a space-available basis after opportunity has been given for other students to register for courses offered by the district.

(2) No new or additional courses or course sections shall be created for the purpose of accommodating enrollments of students enrolled on the basis of waivers under this section.

(3) Enrollment information on employees enrolled on a space-available basis shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall persons enrolled pursuant to the provisions of this section be considered in any enrollment statistics which would affect budgetary determinations.

(4) Computations of enrollment levels, student-faculty ratio, or other similar enrollment rated statistics must exclude student credit hours generated by enrollments for which waivers have been granted under this section.

(5) Employees enrolling on a space-available basis shall be charged a registration fee of five dollars per quarter and a one-time records fee of five dollars.

(6) The number of courses per quarter for which an employee may enroll pursuant to this section shall be limited to no more than ten quarter hours per quarter.

(7) Employees taking tuition-free courses may do so after their normal working hours. Any exception will require special permission of the employee's supervising dean, and the employee will be required to make up the time during the same work day.

(8) Courses taken on a tuition-free basis may count as professional improvement units for academic employees provided established district procedures are followed.

(9) The definition of full-time administrative and professional employees, for the purposes of this act, shall be as stated in district policy. The definition of full-time classified employee shall be as stated in WAC 251-04-020.

[Statutory Authority: RCW 28B.15.535(3) and chapter 28B.15 RCW. 80-01-006 (Resolution No. 79-12), § 132V-11-010, filed 12/11/79.]

(2007 Ed.)

### Chapter 132V-15 WAC

#### CONFIDENTIALITY OF STUDENT RECORDS

##### WAC

132V-15-010	General policy.
132V-15-020	Definitions.
132V-15-030	Type—Location—Responsibility of records.
132V-15-040	Right to review and inspect records.
132V-15-050	Rights of student.
132V-15-060	Conduct of appeal.
132V-15-070	Limitations on a student's right to review and inspect.
132V-15-080	Waiving right to inspect and review.
132V-15-090	Third party access to records—External.
132V-15-100	Third party access to records—Internal.
132V-15-110	Student records as directory information.
132V-15-120	Annual notification on rights.

**WAC 132V-15-010 General policy.** The Family Educational Rights and Privacy Act of 1974, as amended, is a federal law which requires institutions of higher education to establish written policies and guidelines governing the review, inspection, release, confidentiality and maintenance of students' educational records. Tacoma Community College hereby establishes the policies and guidelines in this chapter to comply with the intent of the act and to ensure that the educational records and personally identifiable information of its students are treated responsibly.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-010, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-010, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-020 Definitions.** (1) Act: The Family Educational Rights and Privacy Act of 1974 (Buckley Amendment), as amended.

(2) College: Tacoma Community College, District 22, and its personnel and facilities.

(3) College official: A college employee acting in the student's educational interest within the limitations of his/her need to know. May include faculty, administrators, clerical and professional employees and other persons who manage student records information.

(4) Directory information: Information authorized for external release by the college without the student's written consent shall include student name, degrees and awards received. The college may also confirm dates of attendance, date of birth, major field of study, participation in officially recognized sports and activities and the most recent previous educational institution attended.

(5) Disclosure: Permitting access to or the release, transfer or other communication of a student's educational records or other personally identifiable information orally, in writing, by electronic means or any other means to any party.

(6) Educational records:

(a) Are those documents, materials, files, transcripts or other such information directly related to a student and maintained by the college. May be referred to as "records" in this chapter.

(b) The term "educational records" does not include the following:

(i) Records of instructional, supervisory, or administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;

(ii) Records and documents of the security department which are kept apart from records described in (a) of this subsection, are maintained solely for law enforcement purposes, and are not made available to persons other than law enforcement officials of the same jurisdiction;

(iii) Records made and maintained by the college in the normal course of business which relate exclusively to a person's capacity as an employee and are not available for any other purpose; however, employee records relating to an individual in attendance at the college who is employed as a result of his or her status as a student would be considered educational records; or

(iv) Records concerning a student which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity, and which are created, maintained, or used only in connection with the provision of treatment to the student and are not available to anyone other than persons providing such treatment, except that such records may be personally reviewed by a physician, or other appropriate professional of the student's choice; or

(v) Records created after a student is no longer a student, such as alumni records and the college foundation giving records.

(7) Eligible student: A student who has reached the age of 18 or is officially enrolled in classes at the college. Interchangeably used with "student" in this chapter.

(8) Legitimate educational interest: The demonstrated need to know by college officials determined to act in a student's educational interest. May include faculty, administrators, clerical and professional employees, and other persons who manage student records information.

(9) Office of record: The official site where the originals of specific student records are maintained and authorized for student access.

(10) Parent: The mother, father, legal guardian of a student or the individual authorized to act on behalf of the student.

(11) Personally identifiable information: Data or documents which include

(a) The name of the student, the student's parents or other family members;

(b) The student's address;

(c) A personal identifier such as a Social Security or student number; and

(d) A list of personal characteristics or other information which would make the student's identity easily traceable.

(12) Instructional day: Any day or evening, excluding Saturdays and Sundays, on which classes or examinations are scheduled and held.

[Statutory Authority: RCW 28B.50.140(13), 96-16-034, § 132V-15-020, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-020, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-030 Type—Location—Responsibility of records.** (1) The college maintains the following student educational records in the offices of record listed and under the control of the designated college official:

(a) Admissions center - A designated records custodian oversees the maintenance and processing of student applica-

tions for admission, residency and materials which influence student access to the college.

(b) Advising center - A designated records custodian is responsible for creating, maintaining and processing student educational records, such as copies of registration forms, unofficial transcripts and assessment scores.

(c) Cooperative education - A designated records custodian reviews, monitors and maintains such student records as program orientation forms, student enrollment forms and program evaluation forms.

(d) Counseling and career information center - A designated records custodian is responsible for the maintenance, security and access of such student educational records as interest inventories, advising transcripts, test scores, agency evaluations, and individual counseling case notes.

(e) Adult learning center - A designated records custodian is responsible for the development and retention of student attendance and academic progress records.

(f) Financial aid office - A designated records custodian is charged with collecting, analyzing, processing and maintaining personal fiscal data of students to assist in determining their eligibility for financial aid. Student records generated from this office include those associated with grants, loans, scholarships, employment and job placement.

(g) Registration/records center - The registrar is responsible for maintenance, security and access of student registration, transcript and graduation records.

(h) Veterans services - A designated records custodian collects and maintains for veteran students such records as forms for verification of enrollment for program completion and others which are required for compliance with Veteran Administration guidelines.

(i) Security and parking services - A designated records custodian is assigned the responsibility of processing and maintaining incident reports.

(j) International student services - A designated records custodian manages such student records as high school transcripts from foreign countries; copies of I-20 identification cards; copies of I-94s; the student's arrival documents; copies of visas; copies of I-538s; reinstatement forms; proofs of financial support; proofs of English proficiency; and proofs of student transfers.

(k) Student assessment office - A designated records custodian is responsible for the reporting and maintenance of assessment scores.

(l) Dean of student services office - A designated records custodian is responsible for maintaining academic standards records and student discipline records.

(m) Occupational education - The occupational program coordinators service as designated records custodians responsible for those student records essential to document admissions criteria, program progress, and program completion.

(n) Off-campus centers and continuing education - A designated records custodian is responsible for maintenance, security and access to student registration and fee collection records at each site.

(o) Business office - A designated records custodian is responsible for student fee payment records.

(p) Occasional records - The appropriate college official for student educational records not listed above will collect and maintain such occasional records.

(2) The college shall retain the educational records of students pursuant to the retention schedules established by each office of record.

(3) The college shall establish a student educational records retention system in such other offices of record which may be created.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-030, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-030, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-040 Right to review and inspect records.** (1) A student shall have the right to review and inspect his/her educational records provided he/she:

(a) Identifies the specific record(s) to be reviewed. In some instance, written requests for information will be required;

(b) Presents identification sufficient to validate his/her identity;

(2) After a student submits such a request, the college official of the office of record shall respond to the request within a reasonable period of time, but in no case more than forty-five days after the request has been made.

(3) A student authorized to review or inspect his/her educational records shall be accompanied by a staff person of the office of record assigned to explain and interpret the record(s) of interest.

(4) A student may have copies made of his/her educational records provided no financial hold has been placed on his/her records by any administrative unit. All copies produced shall be at the student's expense, and he/she shall be charged a fee set by the TCC board of trustees.

(5) A student shall maintain his/her right to review and inspect his/her educational records irrespective of his/her outstanding financial obligation to the college.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-040, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-040, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-050 Rights of student.** (1) If, after a review of his/her records, a student believes they contain information that is inaccurate, misleading or in violation of his/her privacy or other rights, the student may submit a written appeal to the dean of student services.

(2) Within a reasonable time, but no more than twenty instructional days after the receipt of an appeal, the dean of student services shall establish an ad hoc committee consisting of two students, two faculty, one classified staff member, and one administrator to review the appeal.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-050, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-050, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-060 Conduct of appeal.** (1) A hearing shall normally be held within twenty instructional days after the dean of student services receives the appeal.

(2) The hearing shall be conducted by the dean of student services or his/her designee who shall be an official of the college who does not have a direct interest in the final decision of the committee.

(3) In presenting his/her appeal, the student may have assistance from or be represented by an individual or an attorney of his/her choice and at his/her own expense. The college may choose to be represented by its assistant attorney general.

(2007 Ed.)

ney of his/her choice and at his/her own expense. The college may choose to be represented by its assistant attorney general.

(4) Within ten instructional days after the hearing the dean of student services or his/her designee shall prepare a final written decision based solely on the evidence presented during the hearing. A copy of the final decision shall be made available to the student.

(5) If the final decision of the dean of student services mandates amendments to the student's educational records, the college official of the office of record shall make said amendments within ten instructional days after the notification and so inform the student in writing.

(6) If the student disagrees with the final decision, he/she shall have the right to place a statement to this effect in his/her educational records. This statement shall be retained in the student's file and shall become a permanent part of the student's education record for as long as the record is maintained.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-060, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-060, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-070 Limitations on a student's right to review and inspect.** (1) Pursuant to section 438 of the act, the college shall not permit a student to review and inspect the following records:

(a) The confidential financial records and statements of parents or any information contained in such records/statements;

(b) Confidential letters and confidential statements of recommendation which were placed in the educational records of the student prior to January 1, 1975; provided that the letters/statements were solicited with the written assurance of confidentiality and are to be used only for the purposes for which they were specifically intended;

(c) Confidential letters of recommendation and confidential statements of recommendations which were placed in the educational records of the student after January 1, 1975 pertaining to admission to an educational institution, to an application for employment, or to the receipt of an honor or honorary recognition which a student has waived his/her inspection/review rights under WAC 132V-15-080; and

(d) The educational records of a student which contains information on more than one student. Only the specific information pertaining to the student requesting access shall be considered for release.

(2) The college shall retain the educational records of students pursuant to the retention schedules established by each office of record.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-070, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-070, filed 9/26/89, effective 10/27/89.]

**WAC 132V-15-080 Waiving right to inspect and review.** (1) A student may waive any or all of his/her all rights under the act, subject to the following:

(a) That the college did not require the waiver;

(b) That no college services be denied a student who fails to supply a waiver;

(c) That he/she completes and signs TCC Form TCC-REG-062, and identifies which records may be examined; and

(d) That the documents to which a student has waived the right to access are used only for the purposes for which they were collected. If the college uses them for other purposes, the waiver shall be voided and the documents may be inspected.

[Statutory Authority: RCW 28B.50.140(13). 89-20-013 (Order 89-1), § 132V-15-080, filed 9/26/89, effective 10/27/89.]

#### **WAC 132V-15-090 Third party access to records—**

**External.** (1) The college may authorize the following persons/agencies to have access to students' educational records or other personally identifiable information without consent:

(a) Officials of other schools or school systems or institutions in which the student seeks or intends to enroll;

(b) Persons in connection with a student's application for or receipt of financial aid;

(c) Accrediting agencies carrying out their accreditation function;

(d) Persons in compliance with a judicial order after written notification to the student;

(e) Persons acting pursuant to any lawfully issued subpoena;

(f) Persons, in response to an emergency, whose actions are considered to protect the health or safety of students or other persons;

(g) Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction and/or services; Provided, that the studies are conducted in a manner which will not permit the personal identification of student and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purposes for which the study was conducted. The term "organizations" includes, but is not limited to, federal, state and local agencies, and independent organizations;

(h) State and local officials or authorities to whom such information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974;

(i) Alleged victim of any crime may obtain the results of any disciplinary proceeding conducted by the college against the alleged perpetrator of such crime with respect to such crime; and

(j) Public requesting information designated as directory information by the college.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-090, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-090, filed 9/26/89, effective 10/27/89.]

#### **WAC 132V-15-100 Third party access to records—**

**Internal.** (1) Within the Tacoma Community College community, only those persons, individually and collectively, acting in the student's educational interest shall be allowed access to a student's educational records or other personally identifiable records. These persons include employees in the

(a) Admissions, advising, assessment and registration centers;

(b) Financial aid office;

(c) Office of the dean of student services;

(d) Security and parking services; and

(e) Offices of record; and

(f) Other college officials within the limitations of their need to know.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-100, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-100, filed 9/26/89, effective 10/27/89.]

#### **WAC 132V-15-110 Student records as directory information.**

(1) A student may withhold from release directory information by completing TCC Form TCC-REG-062 and submitting it to the registrar or by notifying the registrar in writing within two weeks after the first day of classes for any quarter.

(2) The college will honor a student's request for nondisclosure for only the current academic year; therefore, a student must file a request to withhold directory information annually.

(3) The college may release directory information by telephone.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-110, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-110, filed 9/26/89, effective 10/27/89.]

#### **WAC 132V-15-120 Annual notification on rights.**

(1) The college shall notify students and parents of students currently in attendance of their rights under the act

(a) By making copies of this chapter available in the admissions and registration centers during fall quarter registrations for currently enrolled, new and returning students;

(b) By publishing an announcement regarding the existence of this chapter in the college quarterly mailer;

(c) By publishing a summary of this chapter in the college's biennial catalog.

[Statutory Authority: RCW 28B.50.140(13). 96-16-034, § 132V-15-120, filed 8/1/96, effective 9/1/96; 89-20-013 (Order 89-1), § 132V-15-120, filed 9/26/89, effective 10/27/89.]

### **Chapter 132V-22 WAC**

#### **FACULTY TENURE RIGHTS AND PROCEDURES**

##### **WAC**

132V-22-010	Purpose—Tenure.
132V-22-020	Definitions.
132V-22-030	Composition of review committees.
132V-22-040	Duties and responsibilities of review committee.
132V-22-050	Procedure relating to the dismissal for cause of tenured and probationary faculty members.
132V-22-060	Preliminary procedure relating to the dismissal for cause of a tenured or probationary faculty member.
132V-22-100	Procedure relating to reduction in force.
132V-22-200	Hearing procedure relating to dismissal for cause and reduction in force.

#### **DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

132V-22-070	Designation of administrative appointments. [Order 9, § 132V-22-070, filed 3/1/73; Order 3, § 132V-22-070, filed 5/29/70.] Repealed by Order 16, filed 12/28/73.
132V-22-080	Confidentiality of reports. [Order 3, § 132V-22-080, filed 5/29/70.] Repealed by Order 16, filed 12/28/73.



132V-22-110 Procedure. [Order 14, § 132V-22-110, filed 6/29/73.]  
Repealed by Order 16, filed 12/28/73.]

**WAC 132V-22-010 Purpose—Tenure.** The board of trustees of Community College District 22 hereby establishes the following rules on academic employee tenure. The purpose of [tenure] is twofold:

(1) To protect faculty appointment rights and faculty involvement in the establishment and protection of those rights at Tacoma Community College and all subsequent community colleges hereafter established within Community College District 22; and

(2) To assure that tenure is granted to academic employees of such character and scholarly ability that the district, so far as its resources permit, can justifiably undertake to employ them for the rest of their academic careers.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-010, filed 3/19/81; Order 16, § 132V-22-010, filed 12/28/73; Order 3, § 132V-22-010, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 132V-22-020 Definitions.** As used in this chapter, the following terms and definitions shall mean[:]

(1) "Appointing authority" shall mean the board of trustees of Community College District 22.

(2) The definitions of "tenure," "faculty appointment," "probationary faculty appointment," "probationer," and "administrative appointment," shall be the same as are contained within RCW 28B.50.851 as now or hereafter amended.

(3) "Regular college year" shall mean a faculty appointment normally inclusive of consecutive fall, winter, and spring quarters.

(4) "President" shall mean the president of Tacoma Community College [and of any other college hereafter established within Community College] District 22, or in such president's absence, the acting president.

(5) "College" shall mean Tacoma Community College and any subsequent community college hereafter established within Community College District 22.

(6) "Tenure review committee" shall mean a committee composed of [three academic employees] who hold [tenured] faculty appointments a division chairman, or management supervisor and a student appointed pursuant to WAC 132V-22-030.

(7) "Full time" shall mean an appointment which is consistent with the full-time contractual assignment specified within Article 6.00 of the negotiated agreement.

(8) "Dismissal" shall mean the termination of a tenured faculty appointment or a probationary faculty appointment by the appointing authority.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-020, filed 3/19/81; Order 16, § 132V-22-020, filed 12/28/73; Order 9, § 132V-22-020, filed 3/1/73; Order 3, § 132V-22-020, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

(2007 Ed.)

**WAC 132V-22-030 Composition of review committees.** (1) A separate tenure review committee, which shall serve as a standing committee until such time as the appointment is terminated, shall be established for each full-time probationer.

(2) Each [tenure] review committee shall be composed of five persons: Three shall be tenured faculty appointees selected by a majority of the tenured faculty members and faculty department heads acting in a body prior to October 15 of the probationer's first full regular college year of employment; one shall be the probationer's division chairman (or his/her management supervisor if he/she is not supervised by a division chairman); one shall be a student representative who shall be a full-time student and who shall be chosen by the student association of the college in such a manner thereof shall determine. Each tenure review committee shall select its own chairman. If the elected chairman fails to perform his/her required duties in the time period specified, management shall appoint a chairman from among the other committee members to fulfill the responsibilities. Each review committee shall meet at the call of the chairman when, in his/[her] discretion, the need for such meeting arises, provided, that the committee shall meet with the probationer at least twice during each winter quarter. Additionally, the committee shall meet within ten days after the chairman receives the probationer's written request which states the purpose of the meeting.

(3) If a vacancy occurs upon any tenure review committee prior to the expiration of the probationer's appointment as such, an administrative, faculty or student member, as appropriate, shall be appointed to fill the vacancy pursuant to subsection (2) of this rule to serve for the duration of the committee's obligation.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-030, filed 3/19/81; Order 16, § 132V-22-030, filed 12/28/73; Order 9, § 132V-22-030, filed 3/1/73; Order 3, § 132V-22-030, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 132V-22-040 Duties and responsibilities of review committee.** (1) The general duty and responsibility of the tenure review committee shall be to assess and advise the probationer of his/her professional strengths and weaknesses and to make reasonable efforts to encourage and aid him/her to overcome his/her deficiencies.

(2) The first order of business for each tenure review committee shall be to establish the procedure it will follow in evaluating the performance and professional competence of the full-time probationer assigned thereto. The committee's evaluation of the probationer shall be directed toward and result in the determination of whether or not the probationer possesses the necessary personal characteristics and professional competence to perform effectively in his/her appointment. In determining professional competence, the committee shall give due consideration to the criteria under which the employee was hired, as established by the probationer's department, program, or advisory group. A review committee's evaluation procedures should include, as it deems necessary, the following:

[Title 132V WAC—p. 9]

(a) Classroom observations by members of the tenure review committee;

(b) Student evaluation administered by a member of the review committee;

(c) Assessment of the probationer's contributions to the department, program[,], division, and institution by the department or program, and division heads and other faculty; and

(d) Self-evaluation.

(3) Each tenure review committee shall be required to conduct an on-going evaluation of the full-time probationer assigned thereto and render the following written reports to the president, probationer, and the appointing authority on or before the designated times during each regular college year that such appointee is on a probationary status, or, as is also required, within fifteen days of the president's written request therefor:

(a) A written evaluation of each full-time probationary faculty appointee's performance, including the degree to which the probationer has overcome stated deficiencies, on or before February 15. The review committee shall obtain the appointee's written acknowledgment of receipt of the written evaluation.

(b) A written recommendation regarding the employment or nonemployment of the probationer for the ensuing regular college year on or before February 15.

(c) A written recommendation that the appointing authority award or not award tenure, such written recommendations to be submitted during the regular college year deemed appropriate by each review committee, provided that during such probationer's third regular college year of appointment the review committee shall, prior to February 15 of such regular college year, make a written recommendation as to the award or nonaward of tenure. The failure of any review committee to make such written recommendation by February 15 of a probationer's third consecutive regular college year shall require that the probationer's supervising dean make a written recommendation as to the award or nonaward of tenure by the following February 25.

(4) The appointing authority shall be required to give reasonable consideration to any recommendation of a review committee and is not bound thereby.

(5) All written evaluations and recommendations prepared and submitted by a review committee pursuant to these rules shall include the committee's findings and supportive data and analysis.

(6) If the probationer disagrees with the review committee's recommendation as to the award or nonaward of tenure, the probationer shall be provided an opportunity to challenge the review committee's recommendations before a committee of the appointing authority.

(7) On or before the last day of the winter quarter of each regular college year of a probationary appointment, the appointing authority shall notify the probationer of their decision to either grant him/her tenure or not renew his/her appointment for the ensuing year.

(8) The decision of the appointing authority to not rehire a probationary academic employee for a second or third year of the probationary period or to not grant tenure is final, and the academic employee affected by this decision shall not have access to the hearing procedure relating to dismissal for

cause and reduction in force as provided by section 12.32 of the negotiated agreement, but the academic employee may submit written appeal and appear, in person, at the next board meeting following such nonrenewal.

(9) As per chapter 112, Laws of 1975, 1st ex. sess., those academic employees funded more than fifty-one of their annual salaries by other than state funds are nontenurable, per WAC 131-16-400. Inclusion of this paragraph shall not limit the union in its court appeal of this law, rulings pursuant thereto and its effect on present employees in this category. Management will make every effort to shift presently affected employees to tenurable jobs as they become available. Management and the union agree to make necessary modifications in this section in order to bring it into compliance with subsequent court decisions, if any.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-040, filed 3/19/81; Order 16, § 132V-22-040, filed 12/28/73; Order 9, § 132V-22-040, filed 3/1/73; Order 3, § 132V-22-040, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 132V-22-050 Procedure relating to the dismissal for cause of tenured and probationary faculty members.** A tenured faculty member shall not be dismissed by the college except for sufficient cause, nor shall a faculty member who holds a probationary faculty appointment be dismissed prior to the written terms of the appointment except for sufficient cause. Sufficient cause may include, but is not limited to:

(1) Demonstrated incompetency in his/her professional assignment;

(2) Proven neglect of recognized duties;

(3) Proven insubordination;

(4) Diagnosed physical or mental inability to perform assigned duties[;][:];

(5) Convicted of any unlawful act of violence during the period of employment;

(6) Convicted of any unlawful act resulting in destruction of college property;

(7) Convicted of any unlawful interference with the orderly conduct of the educational process.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-050, filed 3/19/81; Order 16, § 132V-22-050, filed 12/28/73; Order 3, § 132V-22-050, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 132V-22-060 Preliminary procedure relating to the dismissal for cause of a tenured or probationary faculty member.** When reason arises to question the fitness of an academic employee, the initial step shall be for the appropriate administrative officer to discuss the matter with him/her in personal conference. At this conference, the academic employee may request the presence of a union representative. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, the case shall be referred to the president of the college. If the president of

the college deems that the case warrants dismissal, the dismissal process shall be governed by the following procedure:

[(1)] At least fifteen calendar days prior to the effective date of the dismissal action and at least thirty days prior to the convening of the dismissal for cause committee, the academic employee, who is to be dismissed by the appointing authority, and the union shall be furnished with written notice which shall include grounds for dismissal, a statement of the legal authority and jurisdiction of the president's notice, and information of the employee's right of appeal. The notification shall be furnished directly to the employee during working hours, or shall be mailed by certified return receipt mail to the academic employee's last known address.

[(2)] A dismissal review committee will be established. The dismissal review committee shall be the same [as the] tenure review committee. If the tenure review committee is no longer available the dismissal review committee shall have the same membership as required for a tenure review committee for a probationary academic employee. The members representing the academic employees shall be selected by a majority of the academic employees and department chairmen acting as a body. The president shall deliver to the review committee the statement of charges provided to the employee.

[(3)] Remaining steps in the procedure for dismissal for cause of tenured or probationary faculty members are as specified in WAC 132V-22-200 of these rules.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-060, filed 3/19/81; Order 16, § 132V-22-060, filed 12/28/73; Order 15, § 132V-22-060, filed 6/29/73; Order 3, § 132V-22-060, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 132V-22-100 Procedure relating to reduction in force.** (1) Definition: A reduction in force is a dismissal of faculty members without prejudice and for adequate cause which shall include lack of funds and necessary curtailment of work.

(2) Layoff units and procedure for assignment:

(a) A full-time academic employee's assignment to a layoff unit will be that within which his/her job responsibility is classified.

(b) For the duration of this agreement, the layoff units and assignments thereto, as agreed to in the union-management meeting of February 3, 1974, or the most recent updating of those layoff units and assignments thereto, shall be used as the basis of reduction in force. A person may be assigned to only one layoff unit even though he/she is teaching in more than one unit.

(c) The institutional seniority list, which is to be published annually by November 1st of each year, under article 9 of the negotiated agreement, will also include the layoff unit to which an academic employee is currently assigned.

(3) Alternatives to reduction in force: Alternatives to reduction in force shall be implemented by management prior to the initiation of reduction in force procedures. The application of these alternatives will be handled through the appropriate division and department. A full-time employee will be

given sections normally staffed by part-time employees before being offered other alternatives to reduction in force. Such alternatives may include, but not be limited to, those in article 6.00 of the negotiated agreement.

An academic employee's agreement to one or any combination of the above-referenced alternatives, or any other alternative agreed to, will be submitted in writing to the college president.

(4) Basis for reduction: If the number of full-time contracted academic employees is to be reduced, the college president, with advice from the appropriate supervising administrators and department chairmen shall determine in the case of each affected department or program what courses and services are most necessary to maintain quality education and services at Tacoma Community College. In making his determination on reductions, the college president shall consider the following factors:

(a) Budget limitations, lack of funds, change in instructional or service programs, or lack of students participating in particular programs or services.

(b) The enrollment, the trends in enrollment, and their effect upon the department or program.

(c) The present and anticipated service needs of the college and its students and prospective students.

(d) Information concerning faculty and administrative vacancies occurring through retirement, resignation, and professional and other leave.

Before arriving at proposed reduction in force decisions, the president will confer with representatives of the designated faculty organization and the student government regarding proposed reduction plans and will consider their opinions in the matter.

(5) Order of reduction: If a reduction is determined to be necessary within a layoff unit, the employment needs of the department or program shall be the primary basis for identifying the order of reduction in force. First consideration will also be given to seniority as defined in article 9.00 of the negotiated agreement, provided that such consideration results in the retention of qualified academic employees to replace and perform the necessary duties of the personnel reduced. In determining what duties an academic employee is qualified to perform, the president will consider, but not be limited to:

(a) General professional experience;

(b) Actual work experience in the area under consideration; and

(c) Educational background.

(6) Right to recall: A full-time faculty member whose contract is not renewed as a result of this reduction in force procedure shall have the right to recall to any faculty position, either a newly created position or a vacancy: Provided, That the individual is determined to be qualified for such position by the president of the college following recommendations by the supervising dean, department chairman and/or program director. The right of recall shall extend two years from date of layoff.

(7) Reduction in force review committee: A reduction in force review committee shall be composed of three members of the faculty who shall be selected by a majority of the faculty and faculty department heads acting in a body, one administrator who shall be appointed by the college presi-

dent, and one student representative who shall be chosen by the student association of the college in such a manner as the members thereof shall determine.

(8) Preliminary procedure for reduction in force: When reason arises to dismiss an academic employee as a result of reduction in force, the initial step shall be for the appropriate administrative officer to discuss the matter with him/her in personal conference. At this conference, the academic employee may request the presence of a union representative. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, the case shall be referred to the president of the college. If the president of the college still deems dismissal to be necessary, the dismissal process shall be governed by the following procedure:

(a) At least thirty calendar days prior to the convening of the dismissal review committee, the union and the academic employee who is threatened with dismissal by the appointing authority shall be furnished with written notice which shall include grounds for dismissal, a statement of the legal authority and jurisdiction of the president's notice, and information of the employee's right of appeal. The notification shall be furnished directly to the employee during working hours, or if this is not possible because of the absence of the employee, it shall be mailed by certified return receipt mail to the academic employee's last known address.

(b) A reduction in force review committee will be established. The reduction in force review committee shall be the same as the tenure review committee. If the tenure review committee is no longer available, the reduction in force review committee shall have the same membership as required for a tenure review committee for a probationary academic employee. The members representing academic employees shall be selected by a majority of the academic employees and department chairmen acting as a body. The president shall deliver to the reduction in force review committee the statement of charges provided to the employee.

(c) In the event of a reduction in force, the reduction in force review committee shall conduct a hearing. At the hearing, the academic employee affected shall have the opportunity to be represented by counsel, to respond to and present evidence and arguments on all issues involved, and to examine and cross-examine witnesses. At the hearing, the academic employee shall have the opportunity for his counsel to protect his due process rights to respond to and present evidence and arguments on all issues involved and to examine and cross-examine witnesses.

(d) Subsequent steps in the procedure for reduction in force are specified in WAC 132V-22-200 of these rules.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-100, filed 3/19/81; Order 16, § 132V-22-100, filed 12/28/73; Order 14, § 132V-22-100, filed 6/29/73.]

**WAC 132V-22-200 Hearing procedure relating to dismissal for cause and reduction in force.** (1) The required notice of dismissal for cause or reduction in force to the affected academic employee(s) shall include notice of the right of a hearing before the review committee and that if the affected employee does not request such a hearing, from the president of the college within ten days after the effective date of separation from the payroll. Management will request a written determination from the employee as to whether

he/she wishes to avail themselves of the right to a hearing. If after five additional days the academic employee fails to respond, this failure to request a hearing shall constitute acceptance of dismissal and waiver of any right to a hearing under the provisions of this negotiated agreement.

(2) In the event the president receives a request for a hearing, all parties shall be afforded an opportunity for a hearing after not less than twenty days' notice. The notice shall include:

(a) A statement of the time, place, and nature of the proceeding;

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(c) A reference to the particular rules of the colleges that are involved;

(d) A short and plain statement [of] [to] the matters asserted.

(3) Prior to the time of the hearing, the board and the union shall request an impartial hearing officer from the public employment relations commission to sit as a nonvoting member of the committee. It shall be his/her responsibility to:

(a) Make all rulings regarding the evidentiary and procedural issues presented during the course of the dismissal review committee hearings;

(b) Meet and confer with the members of the dismissal review committee and advise them in regard to procedural and evidentiary issues considered during the course of the committee's deliberations;

(c) Appoint a court reporter, who shall operate at the direction of the presiding officer and shall record all testimony, receive all documents and other evidence introduced during the course of [the] hearings, and record any other matters [related] [relating] to the hearing as directed by the presiding officer;

(d) Prepare the record if requested under subsection (6) herein.

(4) Opportunity shall be afforded all parties to respond and present evidence and argument on all [issues] [issued] involved, and to examine and cross-examine witnesses.

(5) Oral proceedings shall be transcribed, if necessary, for the purposes of rehearing or court reviews. A copy of the record or any part thereof shall be transcribed and furnished to any party to the hearing upon request [therefor] [thereof] and payment of the costs thereof.

[(6)] The record in a contested case shall include:

(a) All documents, motions, and intermediate rulings;

(b) Evidence received or considered;

(c) A statement of matters officially noticed;

(d) Questions and offers of proof, objections, and rulings thereon;

(e) Proposed findings and exceptions; and

(f) Any decision[s], opinion, or report by the officer or committee chairman presiding at the hearing.

(7) Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

[(8)] The college or its authorized hearing officer or committee may:

(a) Administer oaths and affirmations, examine witnesses, and receive evidence. No person shall be compelled

to divulge information which he/she could not be compelled to divulge in a court of common law;

(b) Issue subpoenas;

(c) Take or cause depositions to be taken pursuant to rules promulgated by the college. No person shall be compelled to divulge information which he/she could not be compelled to divulge by deposition in connection with a court proceeding;

(d) Regulate the course of the hearing;

(e) Hold conferences for the settlement or simplification of the issues by consent of the parties.

(9) Within twenty days following the review hearing, the review committee shall prepare recommendations on the action they propose be taken and submit such recommendations to the appointing authority. A copy of the recommendations shall be given [to] the academic employee involved and the president.

(10) The board shall meet within thirty days after receipt of the dismissal review committee recommendations to consider those recommendations. The academic employee affected by the review committee recommendations may request a hearing before the board within ten days after receipt of the said recommendations. If board action affects academic employees other than the academic employee against whom dismissal action was originally taken, those academic employees shall be guaranteed protection of the entire dismissal for cause hearing procedure provided for herein. Within thirty days after the hearing before the board, the appointing authority shall inform the affected academic employee of their decision by letter.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852, 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-200, filed 3/19/81; Order 16, § 132V-22-200, filed 12/28/73.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffective changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

## Chapter 132V-24 WAC PUBLIC RECORDS

### WAC

132V-24-010	Purpose.
132V-24-020	Definitions.
132V-24-030	Description of central and field organization of Community College District No. 22.
132V-24-040	Operations and procedures.
132V-24-050	Public records available.
132V-24-060	Public records officer.
132V-24-070	Office hours.
132V-24-080	Requests for public records.
132V-24-090	Copying.
132V-24-100	Exemptions.
132V-24-110	Review of denials of public records requests.
132V-24-120	Protection of public records.
132V-24-130	Records index.
132V-24-140	Adoption of form.
132V-24-990	Appendix "A"—Request for public record to Community College District No. 22.

**WAC 132V-24-010 Purpose.** The purpose of this chapter shall be to ensure compliance by the Community College District No. 22 with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25 - 32 of that act, dealing with public records.

(2007 Ed.)

[Order 11, § 132V-24-010, filed 4/27/73.]

**WAC 132V-24-020 Definitions.** (1) **Public records.** "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) **Writing.** "Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents."

(3) **Community College District No. 22.** The Community College District No. 22 is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District No. 22 shall hereinafter be referred to as the "district." Where appropriate, the term district also refers to the staff and board of trustees employees of the district.

[Order 11, § 132V-24-020, filed 4/27/73.]

**WAC 132V-24-030 Description of central and field organization of Community College District No. 22.** District No. 22 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff are located at Tacoma Community College, 6501 South 19th Street, Tacoma, Washington 98466.

[Statutory Authority: 1973 c 1 §§ 25-32, 96-16-035, § 132V-24-030, filed 8/1/96, effective 9/1/96; Order 11, § 132V-24-030, filed 4/27/73.]

**WAC 132V-24-040 Operations and procedures.** The district is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. The college district is operated under the supervision and control of a board of trustees. The board of trustees is made up of five members each appointed by the governor to a term of five years. The trustees meet the first Thursday of each month at 4:00 p.m. in the Baker Room of Tacoma Community College, unless public notice is given of a special meeting. At such time the trustees exercise the powers and duties granted it under RCW 28B.50.140.

[Statutory Authority: 1973 c 1 §§ 25-32, 96-16-035, § 132V-24-040, filed 8/1/96, effective 9/1/96; Order 11, § 132V-24-040, filed 4/27/73.]

**WAC 132V-24-050 Public records available.** All public records of the district, as defined in WAC 132V-24-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by section 31, chapter 1, Laws of 1973 and WAC 132V-24-100.

[Order 11, § 132V-24-050, filed 4/27/73.]

**WAC 132V-24-060 Public records officer.** The district's public records shall be in the charge of the public records officer designated by the college president. The person so designated shall be located in the administrative office of the district. The public records officer shall be responsible for the following: The implementation of the district's rules and regulations regarding release of public records, coordi-

[Title 132V WAC—p. 13]

nating the staff of the district in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Order 11, § 132V-24-060, filed 4/27/73.]

**WAC 132V-24-070 Office hours.** Public records shall be available for inspection and copying during the customary office hours of the district. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

[Order 11, § 132V-24-070, filed 4/27/73.]

**WAC 132V-24-080 Requests for public records.** In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the district which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the district's staff, if the public records officer is not available, at the administrative office of the district during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the district's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

[Order 11, § 132V-24-080, filed 4/27/73.]

**WAC 132V-24-090 Copying.** No fee shall be charged for the inspection of public records. The district shall charge a fee set by the TCC board of trustees for providing copies of public records and for use of the district's copy equipment. This charge is the amount necessary to reimburse the district for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the district will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check or cash in advance.

[Statutory Authority: 1973 c 1 §§ 25-32, 96-16-035, § 132V-24-090, filed 8/1/96, effective 9/1/96; Order 11, § 132V-24-090, filed 4/27/73.]

[Title 132V WAC—p. 14]

**WAC 132V-24-100 Exemptions.** (1) The district reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132V-24-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) In addition, pursuant to section 26, chapter 1, Laws of 1973, the district reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Order 11, § 132V-24-100, filed 4/27/73.]

**WAC 132V-24-110 Review of denials of public records requests.** (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the president of the college. The president or his designee shall immediately consider the matter and either affirm or reverse such denial or consult with the attorney general to review the denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the district has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 11, § 132V-24-110, filed 4/27/73.]

**WAC 132V-24-120 Protection of public records.** Requests for public records shall be made in the administration building (Building 13) of Tacoma Community College. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be removed from the place designated for their inspection. Copies shall be made at Tacoma Community College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132V-24-090.

[Statutory Authority: 1973 c 1 §§ 25-32, 96-16-035, § 132V-24-120, filed 8/1/96, effective 9/1/96; Order 11, § 132V-24-120, filed 4/27/73.]

**WAC 132V-24-130 Records index.** (1) **Index.** The district has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972.

"(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(2007 Ed.)

"(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

"(c) Administrative staff manuals and instructions to staff that affect a member of the public;

"(d) Planning policies and goals, and interim and final planning decisions;

"(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or other; and

"(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private part."

(2) **Availability.** The current index promulgated by the district shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Order 11, § 132V-24-130, filed 4/27/73.]

**WAC 132V-24-140 Adoption of form.** The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A, entitled "Request for public record."

[Order 11, § 132V-24-140, filed 4/27/73.]

**WAC 132V-24-990 Appendix "A"—Request for public record to Community College District No. 22.**

Appendix "A"  
Request for public record to  
Community College District No. 22

- (a) .....  
Signature ..... Signature (Please Print) .....  
.....  
Name of Organization, if Applicable .....  
.....  
Mailing Address of Applicant ..... Phone Number .....  
(b) .....  
Date Request Made at ..... Time of Day .....  
Community College District No. 22 ..... Request Made .....  
(c) Nature of Request .....  
.....  
.....  
(d) Identification Reference on Current Index .....  
..... Please Describe .....  
.....  
(e) Description of Record, or Matter, Requested if not  
Identifiable by Reference to the Community College  
District No. 22's Current Index .....  
.....  
.....

(2007 Ed.)

Request: Approved ..... By .....  
Date ..... Public Records Officer

Denied Date .....

Reasons for Denial: .....  
.....

Referred to ..... By .....  
Date ..... Public Records Officer

[Order 11, Appendix A (codified as WAC 132V-24-990), filed 4/27/73.]

**Chapter 132V-112 WAC  
ELECTION PROCEDURES**

**WAC**

132V-112-003	Purpose.
132V-112-006	Request for election—Canvass of academic employees by independent and neutral person or association.
132V-112-009	Notice of election—Organizations to be included on ballot—Time for filing.
132V-112-012	Contents of notice of election—Designation of chief election officer—Duties.
132V-112-015	List of academic employees—Posting of list.
132V-112-018	Election inspectors—Duties—Right to challenge voter—Improper conduct.
132V-112-021	Ballots.
132V-112-024	Record of vote—Signature—Challenge.
132V-112-027	Incorrectly marked ballot.
132V-112-030	Privacy for voter—Equipment.
132V-112-033	Folding ballot—Ballot box.
132V-112-036	Challenged ballot—Procedure.
132V-112-039	Employees present entitled to vote—Sealing ballot box—Unused ballots.
132V-112-042	Election inspectors duties after voting has terminated.
132V-112-045	Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
132V-112-048	Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
132V-112-051	Electioneering within the polls forbidden.
132V-112-054	Contest of election—Time for filing objections—Investigation of objections.
132V-112-057	Persons eligible to vote—Definition of "academic employee."
132V-112-060	Election determined by majority of valid votes cast—Run-off election.
132V-112-063	Time lapse for new election.

**WAC 132V-112-003 Purpose.** Pursuant to chapter 196, Laws of 1971 ex. sess., the board of trustees of Community College District No. 22 establishes the following rules to strengthen methods of administering employer-employee relations through the establishment of orderly methods of communication between academic employees of Community College District No. 22 and the board of trustees of Community College District No. 22.

[Order 7, § 132V-112-003, filed 6/27/72.]

**WAC 132V-112-006 Request for election—Canvass of academic employees by independent and neutral person or association.** Any organization of academic employees of Community College District No. 22 desiring to be recognized as the majority organization representing such employees pursuant to chapter 196, Laws of 1971 ex. sess., shall request in writing of the board of trustees of Community College District No. 22 that an election be held to determine whether a majority of such employees desire to designate it as their representative for the purposes of the act. Upon the receipt of such a request the board of trustees of Community College District No. 22 will request some independent and

[Title 132V WAC—p. 15]

neutral person or association to determine whether thirty per cent or more of the academic employees of Community College District No. 22 have indicated that they desire to be represented by that organization for such purposes. The independent and neutral person or association shall make such determination upon the basis of records of dues, paying memberships, signed authorizations to represent, or other reliable and probative evidence.

[Order 7, § 132V-112-006, filed 6/27/72.]

**WAC 132V-112-009 Notice of election—Organizations to be included on ballot—Time for filing.** If the independent and neutral person or association determines that thirty per cent or more of the academic employees of Community College District No. 22 have indicated that they desire to be represented by that organization for such purposes, the board of trustees of Community College District No. 22 will publish a notice that it will hold an election as soon as practical to determine whether the academic employees of Community College District No. 22 desire the requesting organization or any other organization to represent them for the purposes of chapter 196, Laws of 1971 ex. sess. Any other organization of academic employees desiring to be designated as the majority organization representing such employees shall, within seven days after publication of such notice by the board of trustees of Community College District No. 22, file with the board of trustees a request in writing that its name be included on the ballot in the election to be held together with written proof of at least ten percent representation of the academic employees of the district. No organization shall be permitted to have its name placed on the ballot used in the election unless such a request has been received within seven days after the publication of the notice that an election will be held.

[Order 7, § 132V-112-009, filed 6/27/72.]

**WAC 132V-112-012 Contents of notice of election—Designation of chief election officer—Duties.** The notice published by the board of trustees of Community College District No. 22, pursuant to WAC 132V-112-009, shall state the date, hours, and polling places for the election. The notice shall also designate a chief election officer of the election and charge him with the duty of preparing the ballots and promulgating instructions concerning the details of the election to be conducted pursuant to WAC 132V-112-003 through 132V-112-063.

[Order 7, § 132V-112-012, filed 6/27/72.]

**WAC 132V-112-015 List of academic employees—Posting of list.** In any election conducted pursuant to WAC 132V-112-003 through 132V-112-063, lists of academic employees eligible to vote shall be prepared by the board of trustees listing academic employees by voting places. Such lists shall be posted at least 24 hours before the election. Such lists shall be for informational purposes and shall not be conclusive as to the right of an academic employee to vote in the election.

[Order 7, § 132V-112-015, filed 6/27/72.]

[Title 132V WAC—p. 16]

**WAC 132V-112-018 Election inspectors—Duties—Right to challenge voter—Improper conduct.** The election officer shall designate at least one inspector for each polling place to observe the conduct of the election. Any organization whose name shall appear on the ballot in the election shall also be entitled to have one inspector present at each polling place to observe the conduct of the election. Each organization shall also be entitled to have an inspector present at the college district office for the counting of the ballots cast. Such inspectors must refrain from electioneering during the election. They may challenge the eligibility of any person to vote in the election, and, upon such challenge, the ballot of that person shall be treated as provided in WAC 132V-112-024 and 132V-112-036 through 132V-112-048. Inspectors shall also report in writing to the chief election officer any conduct which they observe in the course of balloting which they believe may have improperly affected the result of the voting at the polling place at which they serve as observers.

[Order 7, § 132V-112-018, filed 6/27/72.]

**WAC 132V-112-021 Ballots.** The ballots used in any election held pursuant to WAC 132V-112-003 through 132V-112-063 shall be in the following form:

To select for representation purposes pursuant to chapter 196, Laws of 1971 ex. sess., a majority organization to represent academic employees of Community College District No. 22.

	Vote for one
ORGANIZATION X	<input type="checkbox"/>
ORGANIZATION Y	<input type="checkbox"/>
NO ORGANIZATION (neither)	<input type="checkbox"/>

Do not sign your name or put other identifying marks on this ballot. Should you incorrectly mark this ballot or otherwise spoil it, you may return it to the chief election officer or his inspector and obtain a new ballot.

[Order 7, § 132V-112-021, filed 6/27/72.]

**WAC 132V-112-024 Record of vote—Signature—Challenge.** At the time of the election the name of each employee voting shall be recorded by his signature written beside his name on the voting list for the polling place at which he votes. Each academic employee may cast only one ballot in any election held pursuant to these rules, and the presence of a signature beside the name of an employee desiring to vote shall automatically constitute grounds for challenge to his right to cast a ballot in an election.

[Order 7, § 132V-112-024, filed 6/27/72.]

**WAC 132V-112-027 Incorrectly marked ballot.** Any voter who incorrectly marks his ballot may obtain a new ballot by returning the incorrectly marked ballot to the chief election officer's inspector. Such incorrectly marked ballot shall be marked void in the presence of the inspectors of organizations participating in the election before the new ballot is delivered to the voter.

[Order 7, § 132V-112-027, filed 6/27/72.]



**WAC 132V-112-030 Privacy for voter—Equipment.**

Voters shall be provided with tables or desks so arranged that a voter may mark his ballot without making it possible for other persons to observe the manner in which he has marked it.

[Order 7, § 132V-112-030, filed 6/27/72.]

**WAC 132V-112-033 Folding ballot—Ballot box.**

Each voter shall fold his ballot so that the manner in which he has marked it cannot be observed and shall then place it in the locked ballot box provided at the designated voting place.

[Order 7, § 132V-112-033, filed 6/27/72.]

**WAC 132V-112-036 Challenged ballot—Procedure.**

A challenged ballot shall be placed in an envelope bearing no identifying marks. It shall then be placed in another envelope upon which shall be written the name of the employee desiring to cast the ballot, the reasons for which the ballot was challenged, by whom it was challenged, and the polling place at which it was challenged, and the envelope shall be sealed and initialed by the election inspectors.

[Order 7, § 132V-112-036, filed 6/27/72.]

**WAC 132V-112-039 Employees present entitled to vote—Sealing ballot box—Unused ballots.** At the time for closing the polls, all academic employees present and waiting at the polling place shall be entitled to vote. The ballot box shall then be sealed. All unused ballots shall then be counted in the presence of election inspectors.

[Order 7, § 132V-112-039, filed 6/27/72.]

**WAC 132V-112-042 Election inspectors duties after voting has terminated.** When all voting has terminated at a polling place, the election inspectors will bring to the chief election officer at the community college district office the following: 1) Signed voting list of eligible academic employees, 2) all unused ballots, 3) all challenged ballots, and 4) the sealed ballot box containing all ballots cast.

[Order 7, § 132V-112-042, filed 6/27/72.]

**WAC 132V-112-045 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.** The challenged ballots previously placed in separate envelopes shall be placed in a sealed envelope marked "challenged ballots" and sent along with the tally sheet to the chief election officer. The challenged ballots shall not be opened or counted unless the counting of such ballots might affect the results of the election. If the challenged ballots might affect the results of the election, the chief election officer shall conduct an investigation into, or if necessary a formal hearing on, the validity of the challenges made. If he concludes that the challenge was properly made, that ballot shall be excluded from the count. Otherwise, such ballot shall be counted as cast.

[Order 7, § 132V-112-045, filed 6/27/72.]

**WAC 132V-112-048 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.** When ballot boxes from all

(2007 Ed.)

voting places have been received by the chief election officer's inspector, he shall open them and thoroughly mix all ballots cast so that it is impossible to identify the polling place from which any particular ballot came. The ballots cast shall be separated into the categories as they have been cast for organizations participating in the election, for no organization, and void ballots which are unintelligible or for an organization not participating in the election. The ballots in these categories shall be counted by the chief election officer with the assistance of such of his election inspectors as shall be necessary in the presence of the inspectors for the organizations participating in the election. After the ballots have been so counted each inspector designated by the organizations to serve at the community college district office shall indicate by his signature upon the tally sheet that he agrees with the count made, or in case of disagreement, he shall write a short statement of his grounds for disagreement with the count. The chief election officer shall certify to the board of trustees the results of the election within forty-eight hours after the polls have been closed. The used ballots, the unused ballots, the challenged ballots, and the signed voting lists of eligible academic employees shall be kept by the chief election officer or some person designated by him for one year after the election.

[Order 7, § 132V-112-048, filed 6/27/72.]

**WAC 132V-112-051 Electioneering within the polls forbidden.** No election signs, banners, or buttons shall be permitted in the room in which the balloting takes place, nor shall any person in that room discuss the advantages or disadvantages of representation by an organization whether on the ballot or otherwise, nor shall any person in that room engage in any other form of electioneering.

[Order 7, § 132V-112-051, filed 6/27/72.]

**WAC 132V-112-054 Contest of election—Time for filing objections—Investigation of objections.** Any organization, the name of which appears on the ballot, or any academic employee may within five days after the certification of the results of an election under the provisions of WAC 132V-112-048, file objections to the conduct of the election with the chief election officer designated by the board of trustees pursuant to WAC 132V-112-012. The election officer shall investigate such objections and, if necessary, hold formal hearings thereon. He shall report thereon to the board of trustees. If the board of trustees shall conclude that the conduct objected to may have improperly affected the results of the election, it shall order a new election. Otherwise, it shall overrule the objections and the results of the election shall be considered final. Objections to the conduct of the election which are not filed in accordance with the provisions of this section shall be waived and of no effect.

[Order 7, § 132V-112-054, filed 6/27/72.]

**WAC 132V-112-057 Persons eligible to vote—Definition of "academic employee."** All academic employees of Community College District No. 22 shall be eligible to vote pursuant to WAC 132V-112-003 through 132V-112-063 who are employed at the time of the election provided for by such rules and who: 1) Are employed on a full time basis, or

[Title 132V WAC—p. 17]

2) if employed on a part time basis, have been employed as an academic employee of the district for at least one other quarter (i.e. fall, winter, spring, or summer quarter) during either the current or the previous academic year. "Academic employee" shall mean any teacher, counselor, librarian, or department head, division head, or administrator, who is employed by Community College District No. 22, with the exception of the chief administrative officer of the district.

[Order 7, § 132V-112-057, filed 6/27/72.]

**WAC 132V-112-060 Election determined by majority of valid votes cast—Run-off election.** An organization of academic employees which receives a majority of the valid votes cast in an election held in accordance with WAC 132V-112-003 through 132V-112-063 shall be recognized as representing the academic employees of Community College District No. 22 pursuant to chapter 196, Laws of 1971 ex. sess. If more than one organization of academic employees has participated in an election and a majority of the valid votes cast has not been either for representation by one of the organizations or for no representation, a run-off election shall be held. In such a run-off, only those two choices receiving the highest number of valid votes cast in the initial election shall appear on the ballot.

[Order 7, § 132V-112-060, filed 6/27/72.]

**WAC 132V-112-063 Time lapse for new election.** If no organization of academic employees is selected as representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election. If an organization of academic employees is selected as bargaining representative in an election held pursuant to these rules, another election shall not be held until the lapse of one year from the date of the certification of the results of the earlier election.

[Order 7, § 132V-112-063, filed 6/27/72.]

## Chapter 132V-116 WAC

### PARKING AND TRAFFIC RULES AND REGULATIONS

#### WAC

132V-116-010	Authority.
132V-116-020	Purpose.
132V-116-030	Definitions.
132V-116-040	Applicable traffic rules and regulations.
132V-116-050	Parking and traffic responsibility.
132V-116-060	Permits required for motor vehicles on campus.
132V-116-070	Registration of vehicles.
132V-116-080	Authorization for issuance of permits.
132V-116-090	Parking fees.
132V-116-100	Valid permits.
132V-116-110	Display of permit.
132V-116-120	Transfer of permits.
132V-116-130	Permit revocation.
132V-116-140	Right to refuse permit.
132V-116-150	Responsibility of permit holder.
132V-116-160	Designation of parking spaces.
132V-116-170	Parking within designated spaces.
132V-116-180	Regulatory signs and directions.
132V-116-190	Speed limit.
132V-116-200	Movement of vehicles.
132V-116-210	Operation of bicycles.
132V-116-220	Report of accident.

132V-116-230	Special traffic and parking regulations and restrictions authorized.
132V-116-240	Enforcement.
132V-116-250	Issuance of traffic citations.
132V-116-260	Fines and penalties.
132V-116-270	Appeal of fines and penalties.
132V-116-280	Liability of college.

**WAC 132V-116-010 Authority.** Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of Community College District 22 empowers the president of the college district to make on-campus parking available for visitors, faculty, students and staff at a fee established and approved by the board. The board further authorizes the president to formulate rules and regulations which ensure the safety of operators of vehicles and pedestrians using the college's streets, crosswalks and paths. (*Tacoma Community College Board Policy Handbook*, Chapter VII, Section 7.1010; 5-76.)

[Order 77-2, § 132V-116-010, filed 6/3/77.]

**WAC 132V-116-020 Purpose.** The rules and regulations contained herein are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic on property owned, operated and maintained by the college district.
- (2) To assure access at all times for emergency equipment.
- (3) To minimize traffic disturbances.
- (4) To facilitate the operation of the college by assuring access for vehicles.
- (5) To regulate the use of parking spaces.

[Order 77-2, § 132V-116-020, filed 6/3/77.]

**WAC 132V-116-030 Definitions.** For the purposes expressed in this document, the following definitions and terms shall apply:

- (1) **College:** Tacoma Community College, or any additional community college hereafter established within Community College District 22, state of Washington, and those individuals responsible for its control and operation.
- (2) **College community:** Trustees, students, employees, and guests on college-owned or controlled facilities.
- (3) **College facilities:** Any or all property controlled or operated by the college.
- (4) **Student:** Any person enrolled at the college.
- (5) **Safety and security officer:** An employee of the college accountable to the dean of administrative services and responsible for campus security, safety, parking and traffic control.

(6) **Vehicle:** Any conveyance which can be legally operated on the streets and highways of the state of Washington, or whose primary purpose is recreational.

(7) **Visitors:** Persons who come upon the campus as guest, and persons who lawfully visit the campus for purposes which are in keeping with the college's role as an institution of higher learning in the state of Washington.

(8) **Permanent permit:** A permit which is valid for a college quarter, year or portion thereof.

(9) **Temporary permit:** A permit issued in lieu of a permanent permit for a period designated on the permit.

(10) **Handicapped permit:** A permit issued to a person with a physical, mental or sensory impairment.

(11) **College term:** Unless otherwise designated, the time period commencing with the summer quarter of the calendar year and extending through the subsequent fall, winter, and spring quarters. The summer quarter shall be considered the first quarter of the college year for parking and traffic control purposes.

(12) **Campus:** The grounds and buildings of the college.

[Order 77-2, § 132V-116-030, filed 6/3/77.]

**WAC 132V-116-040 Applicable traffic rules and regulations.** The traffic rules and regulations which are applicable for the college are:

(1) The motor vehicle and traffic codes of the state of Washington.

(2) The traffic ordinances of the city of Tacoma.

(3) The other rules and regulations hereinafter described in this chapter.

[Order 77-2, § 132V-116-040, filed 6/3/77.]

**WAC 132V-116-050 Parking and traffic responsibility.** The dean of administrative services is responsible for parking and traffic management on campus. In general, the responsibility is delegated to the college's safety and security supervisor, who is authorized to coordinate directly with the dean of administrative services and others on campus as required by his/her duties.

[Order 77-2, § 132V-116-050, filed 6/3/77.]

**WAC 132V-116-060 Permits required for motor vehicles on campus.** No student or employee shall stop, park, or leave a motor vehicle, whether attended or unattended, upon the campus without a parking permit issued pursuant to WAC 132V-116-030 (8), (9) or (10), except that:

(1) Any student parking on campus will be given ten days from the beginning of his/her enrollment to obtain a permit from the office of safety and security.

(2) Any employee parking on campus must obtain a permit within ten days after commencing employment with the college, and where applicable, will renew the permit within ten days after its expiration.

[Order 77-2, § 132V-116-060, filed 6/3/77.]

**WAC 132V-116-070 Registration of vehicles.** All students and employees who operate motor vehicles on the campus will register them with the office of safety and security.

[Order 77-2, § 132V-116-070, filed 6/3/77.]

**WAC 132V-116-080 Authorization for issuance of permits.** The office of safety and security is authorized to issue parking permits to members of the college community pursuant to the following regulations:

(1) Students may be issued parking permits upon the registration of their vehicles with the office of safety and security.

(2) Employees may be issued parking permits pursuant to WAC 132V-116-060(2).

(2007 Ed.)

(3) Safety and security officers may issue temporary parking permits when such permits are necessary to conduct the business or operation of the college.

(4) Safety and security officers may issue temporary parking permits, not to exceed a period of five working days, for the use of an additional car whenever the registered vehicle is being repaired.

[Order 77-2, § 132V-116-080, filed 6/3/77.]

**WAC 132V-116-090 Parking fees.** Fees for parking in designated areas will be established by the board of trustees.

[Order 77-2, § 132V-116-090, filed 6/3/77.]

**WAC 132V-116-100 Valid permits.** The following are valid permits when they are properly displayed and unexpired:

(1) A permanent permit.

(2) A temporary permit.

(3) A handicapped permit.

[Order 77-2, § 132V-116-100, filed 6/3/77.]

**WAC 132V-116-110 Display of permit.** (1) A permanent parking permit shall be affixed to right rear bumper area of the vehicle. A temporary permit shall be placed within the vehicle on the dashboard where it can be plainly observed.

(2) Permits for motorcycles shall be affixed to the vehicles in visible locations.

[Order 77-2, § 132V-116-110, filed 6/3/77.]

**WAC 132V-116-120 Transfer of permits.** A parking permit is not transferable. If a vehicle is sold or traded, the permit holder may obtain a new permit from the office of safety and security.

[Order 77-2, § 132V-116-120, filed 6/3/77.]

**WAC 132V-116-130 Permit revocation.** Parking permits are the property of the college and may be revoked for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists; or

(2) When a permit is used for an unregistered vehicle or by an unauthorized individual; or

(3) When it is determined that an application has been falsified; or

(4) When it is determined that a permit has been altered.

[Order 77-2, § 132V-116-130, filed 6/3/77.]

**WAC 132V-116-140 Right to refuse permit.** The college reserves the right to refuse the issuance of a parking permit when it is deemed to be in the best interests of the college.

[Order 77-2, § 132V-116-140, filed 6/3/77.]

**WAC 132V-116-150 Responsibility of permit holder.** The permit holder is responsible for all violations of the parking and traffic rules and regulations involving the vehicle for which the permit was issued and to which it was affixed; provided, that such responsibility shall not relieve the operator of the vehicle who violates the rules and regulations. In the event that a vehicle in violation is not registered with the col-

lege, the current registered owner will be responsible for the violation(s) of the college regulations.

[Order 77-2, § 132V-116-150, filed 6/3/77.]

**WAC 132V-116-160 Designation of parking spaces.**

Parking spaces shall be designated for the following categories:

- (1) Students
- (2) Employees
- (3) Handicapped persons
- (4) Visitors
- (5) Other business purposes.

[Order 77-2, § 132V-116-160, filed 6/3/77.]

**WAC 132V-116-170 Parking within designated spaces.** All vehicles must be parked in designated spaces only.

(1) No vehicle may be parked in any undesignated area except the following:

- (a) Approved maintenance vehicles.
- (b) Emergency vehicles.
- (c) Approved construction vehicles.
- (d) Approved delivery vehicles.

(2) Unless prior arrangements have been made, no vehicle shall be parked on campus for a period in excess of seventy-two hours. Vehicles which have been parked in excess of seventy-two hours may be impounded and stored at the expense of the owner.

(3) No vehicle shall be parked so as to occupy any portion of more than one parking space.

(4) Parking in designated areas will be strictly enforced between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday.

[Order 77-2, § 132V-116-170, filed 6/3/77.]

**WAC 132V-116-180 Regulatory signs and directions.**

The office of safety and security is authorized to erect signs, barricades, and other structures and to paint marks or other directions upon the entry ways, streets, and parking areas of the campus. Vehicle operators shall observe and obey all regulatory signs and directions and shall comply with traffic control.

[Order 77-2, § 132V-116-180, filed 6/3/77.]

**WAC 132V-116-190 Speed limit.** No vehicle shall be operated on the campus at a speed in excess of fifteen miles per hour or as posted. No vehicle shall use the campus parking areas for unauthorized activities.

[Order 77-2, § 132V-116-190, filed 6/3/77.]

**WAC 132V-116-200 Movement of vehicles.** Except as authorized by the office of safety and security, movement of motor vehicle traffic is limited to entrances, drives and parking areas.

[Order 77-2, § 132V-116-200, filed 6/3/77.]

**WAC 132V-116-210 Operation of bicycles.** Bicycle operators shall observe the following rules and regulations:

[Title 132V WAC—p. 20]

(1) Bicycles and other nonengine cycles shall be operated in a responsible manner.

(2) No bicycle shall be parked inside a building nor blocking a building entrance.

(3) Bicycles should be secured to racks as provided so as not to endanger pedestrian traffic.

(4) Bicycle operators will observe traffic rules and regulations when operating on entrances, drives, and parking areas.

[Order 77-2, § 132V-116-210, filed 6/3/77.]

**WAC 132V-116-220 Report of accident.** The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles of any amount shall within twenty-four hours report such accident to the college's office of safety and security. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within twenty-four hours after such accident.

[Order 77-2, § 132V-116-220, filed 6/3/77.]

**WAC 132V-116-230 Special traffic and parking regulations and restrictions authorized.** Upon special occasions causing additional and/or heavy traffic and during emergencies, the college's safety and security supervisor is authorized to impose special traffic and parking regulations and restrictions for the achievement of the objectives specified in WAC 132V-116-020.

[Order 77-2, § 132V-116-230, filed 6/3/77.]

**WAC 132V-116-240 Enforcement.** (1) All parking and traffic rules and regulations shall be enforced throughout the calendar year.

(2) The dean of administrative services or his designee shall be responsible for the enforcement of the rules and regulations contained in this document.

[Order 77-2, § 132V-116-240, filed 6/3/77.]

**WAC 132V-116-250 Issuance of traffic citations.** Safety and security officers or their subordinates will issue citations for any violations of these rules and regulations. Such citations will include the date, approximate time, vehicle identification number, infraction, name of the officer and schedule of fines. The traffic citations may be served in person, via mail, or by attaching a copy outside the vehicle.

[Order 77-2, § 132V-116-250, filed 6/3/77.]

**WAC 132V-116-260 Fines and penalties.** Fines and penalties may be assessed for all violations of these rules and regulations.

(1) The dean of administrative services, or in his absence the president or the acting president, is the only college employee authorized to impound vehicles parked on college property.

(a) Vehicles wrongfully parked in designated areas or parked in undesignated areas are subject to impoundment.

(b) Impoundment and storage expenses shall be the responsibility of the owner of the impounded vehicle.

(c) The college shall not be liable for loss or damage of any kind resulting from such impoundment and storage.

(d) Impoundment of a vehicle does not remove the obligation for any fines associated with the citation.

(2) An accumulation of traffic citations by a student in excess of THIRTY DOLLARS or the failure by a student to satisfy any traffic fines, regardless of the amount thereof, by the end of the academic quarter may result in disciplinary action initiated by the dean of student services against the student.

(3) The dean of administrative services shall direct all citations to the office of business services for collection or paid at the cashier's station.

(4) A schedule of fines shall be set by the board of trustees.

(5) The following schedule of fines is adopted by the board and shall be published on the traffic citation forms.

(a) Vehicle parked in a manner so as to obstruct traffic; \$3.00

(b) Occupying more than one space; \$2.00

(c) Occupying space not designated for parking; \$2.00

(d) Illegal parking (parked in area not authorized by permit; \$2.00

(e) Failure to yield right of way; \$3.00

(f) Parking in fire lane; \$3.00

(g) Speeding; \$5.00

(h) Failure to stop for stop sign/signal; \$5.00

(i) Reckless/negligent driving; \$5.00

(j) No parking permit displayed; \$5.00

(6) If the fine is paid within 24 hours of the issuance of the citation, the fine will be reduced to \$1.00, except for moving violations.

(7) In the event a student fails or refuses to pay a fine, the following may be initiated by the dean of student services:

(a) Student may not be eligible to register for any more courses;

(b) Student may not be able to obtain a transcript of his grades or credits;

(c) Student may not receive a degree until all fines are paid;

(d) Student may be denied future parking privileges;

(e) Student's vehicle may be impounded.

(8) Upon failure of an employee to appeal from any fine or penalty as set forth herein, or upon a decision by the dean of administrative services affirming the employee's debt to the college, whichever is applicable, the amount of the fine will be set-off against and deducted from any present or future salary or other financial obligation owed to the employee by the college.

[Order 77-2, § 132V-116-260, filed 6/3/77.]

#### **WAC 132V-116-270 Appeal of fines and penalties.**

Any fines and penalties levied against a violator of the rules and regulations set forth herein must be appealed in writing, stating fully all grounds for appeal, within five days from the date of the citation, to the safety and security supervisor who will:

(1) After notice to the appealing party, confer with said party and review the appeal to determine whether a satisfactory solution can be reached without further administrative

(2007 Ed.)

action. The safety and security supervisor will advise the appellant, as soon as practicable, of his proposed decision.

(2) If the appellant is dissatisfied with the safety and security supervisor's proposed decision, the appeal will be forwarded to the dean of administrative services who will meet with all parties, review the circumstances of the appeal and render a decision within ten days.

[Order 77-2, § 132V-116-270, filed 6/3/77.]

**WAC 132V-116-280 Liability of college.** Except for the college owned and/or operated vehicles, the board assumes no liability under any circumstances for vehicles on campus.

[Order 77-2, § 132V-116-280, filed 6/3/77.]

### **Chapter 132V-120 WAC**

#### **CODE OF STUDENT RIGHTS AND RESPONSIBILITIES**

##### **WAC**

132V-120-010	Title.
132V-120-020	Definitions.
132V-120-030	Jurisdiction.
132V-120-040	Student rights.
132V-120-050	Student responsibilities.
132V-120-060	Authority of the president to prohibit trespass.
132V-120-070	Summary suspension proceedings.
132V-120-080	Notice of summary proceedings.
132V-120-090	Procedures of summary suspension hearing.
132V-120-100	Decision by chief student services officer.
132V-120-110	Notice of suspension.
132V-120-120	Suspension for failure to appear.
132V-120-130	Appeal of summary suspension.
132V-120-140	Summary suspension proceedings not duplicative.
132V-120-150	Purpose of disciplinary actions.
132V-120-160	Disciplinary action.
132V-120-170	Initiation of disciplinary proceedings.
132V-120-180	Disciplinary proceedings.
132V-120-200	Composition of student rights and responsibilities committee.
132V-120-210	Hearing procedures before the student rights and responsibilities committee.
132V-120-220	Conduct of hearings.
132V-120-230	Evidence admissible in hearings.
132V-120-240	Decision by the committee.
132V-120-241	Notification of decision and sanctions imposed.
132V-120-245	Appeal process.
132V-120-260	Suspension—Reestablishment of academic standing.
132V-120-270	Student grievances.
132V-120-280	Grievances excluded from this section.
132V-120-290	Grievance procedures.
132V-120-295	Grievance procedures appeal process.
132V-120-300	Final decision regarding student grievances.
132V-120-310	Nature of grievance proceedings.
132V-120-320	Withdrawal of grievance.
132V-120-335	Student grievance procedure for final course grades.
132V-120-340	Final course grade grievance process.
132V-120-345	Final course grade grievance appeal process.

#### **DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

132V-120-190	Appeals. [Statutory Authority: RCW 28B.50.140(13). 88-23-072 (Order 88-1), § 132V-120-190, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-190, filed 12/21/84. Formerly WAC 132V-16-040.] Repealed by 01-24-004, filed 11/21/01, effective 12/22/01. Statutory Authority: RCW 28B.50.140(13).
132V-120-250	Final decision regarding disciplinary action. [Statutory Authority: RCW 28B.50.140(13). 88-23-072 (Order 88-1), § 132V-120-250, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-250, filed 12/21/84. Formerly WAC 132V-16-100.] Repealed by 01-24-004, filed 11/21/01, effective 12/22/01. Statutory Authority: RCW 28B.50.140(13).

132V-120-330 Pregnancy policy. [Statutory Authority: RCW 28B.50.140(13); 87-01-066 (Order 86-1), § 132V-120-330, filed 12/17/86.] Repealed by 01-24-004, filed 11/21/01, effective 12/22/01. Statutory Authority: RCW 28B.50.140(13).

**WAC 132V-120-010 Title.** This chapter shall be known as the code of student rights and responsibilities of Tacoma Community College.

[Statutory Authority: RCW 28B.50.140(13); 85-02-004 (Order 84-1), § 132V-120-010, filed 12/21/84.]

**WAC 132V-120-020 Definitions.** As used in this chapter the following words and phrases shall be defined as follows:

(1) "District" shall mean Community College District 22.

(2) "College" shall mean Tacoma Community College main campus and any other campus or college facility which may be created by the board.

(3) "College facilities" shall include real property, buildings and improvements thereon owned, leased, or used by or on behalf of the college or the associated students, and extends to affiliated websites, distance learning classroom environments, and agencies or institutions that have educational agreements with Tacoma Community College.

(4) "Board" shall mean the board of trustees of Community College District No. 22, state of Washington.

(5) "President" shall mean the duly appointed chief executive officer of any campus of Tacoma Community College or designee.

(6) "Chief student services officer" shall mean the administrator responsible for student services or designee.

(7) "Chief academic affairs officer" shall mean the administrator responsible for the instructional program or designee.

(8) "Officer of the college" shall mean and include all administrative exempt employees, exclusive of the president, manager of on-line student services of the Washington on-line virtual campus (or designee), and any faculty member whose primary assignment is that of division administrator.

(9) "Faculty" shall mean and include any full-time or part-time academic employee of the district or Washington on-line virtual campus whose assignment is one or a combination of instruction, counseling, or library services.

(10) "College employee" shall mean and include any classified staff employee, exempt employee or faculty either full time or part time, whose primary assignment is a job position under the jurisdiction of the Washington higher education personnel board. Also included are student employees of the district and employees whose status is either full-time or part-time "exempt-temporary," and those authorized to act as an agent for the college.

(11) "Student" shall mean any person who is enrolled for classes through the college, including any person in affiliated distance learning courses.

(12) "Associated students" shall mean the student body and such authorized groups organized under the provisions of the Constitution and bylaws of the associated students of the college.

(13) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain pub-

licity, advocate a view, petition for a cause or disseminate information to any person or group of persons.

(14) "Disciplinary action" shall mean and include a written warning to, the suspension or expulsion of, or placement on probation of any student by an appropriate officer of the college for the violation of any provision of this chapter.

(15) "Instructional day" shall mean any regularly scheduled instructional day designated in the academic year calendar, including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays are not regularly scheduled instructional days.

(16) "College community" shall mean any employee, student or guest of Tacoma Community College.

[Statutory Authority: RCW 28B.50.140(13); 04-17-017, § 132V-120-020, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-020, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-020, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-020, filed 12/21/84. Formerly WAC 132V-14-020.]

**WAC 132V-120-030 Jurisdiction.** (1) The college may apply sanctions for violation of student rights or responsibilities as described in this chapter when student conduct substantially interferes with the college's educational responsibility of ensuring the opportunity for all members of the college community to attain their educational objectives or subsidiary responsibilities, such as providing miscellaneous services and sponsoring out-of-class activities such as lectures, concerts, athletic events, student club events and social functions.

(2) These rules apply to students engaged in or present at any on-campus or off-campus college-related activity. A student's off-campus conduct at a college-related activity may be considered in determining discipline, particularly if it impedes the rights of other student(s) or the educational process.

(3) Students and members of the public or college community who violate or aid or abet another in the violation of any provision of this chapter shall be subject to prosecution under civil or criminal laws or regulations of Washington in addition to any sanctions imposed pursuant to this chapter.

(4) Provisions of the Revised Code of Washington cited in this document are on file and available in the office of the chief student services officer and on the college's web site. Provisions are subject to change through the code revision process.

[Statutory Authority: RCW 28B.50.140(13); 04-17-017, § 132V-120-030, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-030, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-030, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-030, filed 12/21/84. Formerly WAC 132V-14-030.]

**WAC 132V-120-040 Student rights.** Within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college, all students have the following rights:

(1) Academic freedom.

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public and pursuant to established procedures available in the office of student programs and activities.

(b) Students are free to pursue educational objectives from among the college's curricula, programs and services subject to the provisions of this chapter.

(c) Students shall be protected from arbitrary academic evaluation but are responsible for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment which is free from unlawful discriminatory, inappropriate, and disrespectful conduct and free from sexual harassment.

(2) Due process.

(a) The rights of students to be secure in their persons, quarters, papers and effects against unreasonable searches and seizures are protected.

(b) Students will receive notice of the nature of charges against him/her prior to disciplinary sanctions being imposed except in cases of summary suspension (WAC 132V-120-070 and 132V-120-080) and in cases of no trespass (WAC 132V-120-060).

(c) A student accused of violating this code of student rights and responsibilities is entitled, upon request, to procedural due process as set forth in the provisions of this chapter.

(3) Distribution and posting. Students may distribute or post printed or published material subject to official procedures available in the office of student programs and activities.

(4) Demonstrations. Students may organize a demonstration subject to official procedures available in the office of student programs and activities.

(5) Off-campus speakers. Student organizations sanctioned by an officer of the college or faculty or authorized by the associated students shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding resources, and compliance with the official college procedures available in the office of student programs and activities.

(6) Student complaints. A complaint is an oral or written expression of dissatisfaction with the performance of a college employee or procedure or a challenge of the student's education record. The students who have a complaint should use the appropriate process set forth by the college.

(a) Nonacademic. The purpose of this section is to notify students that the college has an established process where a student or students may express and resolve misunderstandings, complaints or grievances with any college employee or college procedure in a fair and equitable manner. This process emphasizes an informal resolution. A copy of that process is available in the office of the chief student services officer.

(b) Academic.

(i) Students who believe that information contained in their education records is inaccurate may obtain information on the process to request a correction (chapter 132V-15 WAC Confidentiality of student records) from the offices of the chief student services officer, the registrar or the dean of the academic area.

(ii) Only final course grades may be grieved. In instances involving final course grade disputes, an academic grievance process has been established by the college (WAC 132V-120-330 through 132V-120-340). This process emphasizes an informal resolution.

[Statutory Authority: RCW 28B.50.140(13), 04-17-017, § 132V-120-040, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-040, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-040, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-040, filed 12/21/84. Formerly WAC 132V-14-040.]

**WAC 132V-120-050 Student responsibilities.** Admission to Tacoma Community College carries with it the presumption that the student will conduct himself/herself as a responsible member of the college community. Thus, when a student enrolls through Tacoma Community College, the student likewise assumes the obligation to observe standards of conduct which are appropriate to the pursuit of educational goals. Any student who violates any provision of the code of student rights and responsibilities or who aids, abets, encourages, or procures another person to materially and substantially interfere with the personal rights or privileges of others or the educational process of the college shall be subject to disciplinary action as provided in WAC 132V-120-160. Grounds for disciplinary action include the following:

(1) Physical and/or verbal abuse of any person on college facilities or at a college related event or conduct which threatens bodily harm or endangers the health or safety of any such person, including reckless driving;

(2) Disorderly conduct; lewd, indecent or obscene conduct or expression; breach of the peace on college facilities or at college related events;

(3) An illegal assembly, disruption, obstruction or other act which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others;

(4) Refusal to comply with any lawful order to leave the college campus or any portion thereof;

(5) Knowingly filing a formal complaint falsely accusing another student or college employee with violating a provision of this code;

(6) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities;

(7) Sexual harassment which is defined as engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such behavior offends the recipient, causes discomfort or humiliation, or interferes with school-related performance (see chapter 132V-300 WAC Grievance procedure—Sexual harassment, sex discrimination and disability discrimination, available in the office of the chief student services officer and on the college web site);

(8) Theft or conversion of property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college;

(9) Intentional or grossly negligent damage or destruction of any property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college including technology systems used for college functions;

(10) Unauthorized use of college or associated students' equipment, computer software or supplies;

(11) Cheating, plagiarism or tendering to a faculty member any work product that the student fraudulently represents to the faculty member as the student's work for the purpose of

fulfilling or partially fulfilling any assignment or task required by the faculty member as part of the student's program of instruction (see *Tacoma Community College Administrative Procedure for Academic Dishonesty*, available in the office of the chief student services officer, other administrative offices and on the college's web site);

(12) Forgery or alteration of college documents or records, including, but not limited to, student identification cards and financial aid attendance forms, or the fraudulent use thereof whether in written or electronic form;

(13) Failure to comply with directions of college employees acting in the performance of their duties;

(14) Unauthorized entry or occupancy of college facilities or blocking access to or egress from such areas;

(15) Smoking (or use of other tobacco products), eating or drinking in any classroom, laboratory, library, or in any college facility or office designated as "NO SMOKING," "NO FOOD," "NO DRINKS";

(16) Use, possession, or distribution of alcoholic beverages on college facilities or at college-related events without a permit from the state liquor control board and approval by the president;

(17) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 or any dangerous drug as defined in RCW 69.50.308 while on college facilities or at any college sponsored event except when the use or possession of such a drug is specifically prescribed as medication by an authorized medical doctor or dentist. The term "sale" shall have the meaning as defined in RCW 69.04.005;

(18) Being under the influence of liquor or alcoholic beverages while on college facilities or at college sponsored events;

(19) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities;

(20) Withholding information from or providing false information to college employees acting in the performance of their duties;

(21) Tampering with computer equipment or computer codes of the college or associated web sites and unauthorized entry or use of computer back-end systems; conduct that violates the college's published acceptable use rules on computers or electronic technology including electronic mail and the internet (see Tacoma Community College computer use policy, available on the college web site);

(22) Malicious harassment or intimidation directed toward another person because of, or related to, that person's race, color, religion, gender, sexual orientation, gender identity, ancestry, national origin, or mental, physical or sensory disability;

(23) Hazing or any method of initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical, mental or emotional harm to any student or other person (see chapter 132V-130 WAC Hazing policy, available in the office of the chief student services officer and on the college's web site).

[Statutory Authority: RCW 28B.50.140(13), 04-17-017, § 132V-120-050, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-050, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-050, filed

11/17/88; 85-02-004 (Order 84-1), § 132V-120-050, filed 12/21/84. Formerly WAC 132V-14-050.]

**WAC 132V-120-060 Authority of the president to prohibit trespass.** The president or designee shall have authority and power to prohibit the entry or withdraw the license or privilege of any person or group of persons to enter into or remain in any college property or facility. Such power and authority may be exercised whenever the president deems any of the following conditions exist:

(1) Events or activities disruptive of the lawful business of the college.

(2) Events or activities which disrupt or threaten to disrupt the lawful movement of any person into or out of any college facility.

(3) For the purpose of determining the identity of a person as a student, where identification as a student is a prerequisite to admission or the charge for admission to any college activity or where identification as a student is required in a case of alleged violation of this code, any college employee may demand that any person on college property or at a college activity produce evidence of student enrollment at the college. Tender of a current valid student identification card will satisfy this requirement. Refusal by a student to produce identification as required may subject the student to disciplinary action.

[Statutory Authority: RCW 28B.50.140(13), 01-24-004, § 132V-120-060, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-060, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-060, filed 12/21/84. Formerly WAC 132V-14-060.]

**WAC 132V-120-070 Summary suspension proceedings.** If the chief student services officer:

(1) Has cause to believe that any student has violated any provision of WAC 132V-120-050 or has committed a felony; and

(2) Has further cause to believe that the student presents an imminent danger to himself/herself or other persons on college facilities or to the educational process of the college, then the chief student services officer shall have, pursuant to the rules herein, authority to suspend the student from the college until such time as the chief student services officer is satisfied the student's dangerous nature has ceased. The duration of summary suspension shall not exceed ten instructional days, except that the chief student services officer may continue summary suspension beyond ten instructional days in circumstances where the student continues to present an imminent danger to people, facilities, or the educational process and disciplinary proceedings provided for in the provisions of this chapter, WAC 132V-120-100 through 132V-120-180.

[Statutory Authority: RCW 28B.50.140(13), 04-17-017, § 132V-120-070, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-070, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-070, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-070, filed 12/21/84. Formerly WAC 132V-18-010.]

**WAC 132V-120-080 Notice of summary proceedings.**

(1) If the chief student services officer elects to exercise the authority to summarily suspend a student, the student will receive written notification either personally or by mail at the student's address as shown on college records.



(2) The notice shall be entitled "Notice of summary suspension proceeding" and shall state:

(a) The charges against the student including reference to the provisions of this chapter, and

(b) That the student charged must appear before the chief student services officer at a time specified in the notice for an informal hearing. This hearing shall be held within five instructional days after the summary suspension unless waived by the student and the college. If the hearing extends past the ten-day timeline outlined in WAC 132V-120-070, the summary suspension will continue in effect through the administrative appeal process. The student may elect to be accompanied by a personal advisor at the informal hearing with the chief student services officer.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-080, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-080, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-080, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-080, filed 12/21/84. Formerly WAC 132V-18-020.]

**WAC 132V-120-090 Procedures of summary suspension hearing.** (1) At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the chief student services officer that there is no cause to believe that the violation stated on the notice of summary suspension proceedings to the student did occur, and that there exists no cause to believe that immediate suspension of said student is necessary.

(2) The student may offer oral testimony of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit or statement and cross-examine any witness who may appear against the student, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The chief student services officer shall, at the time of the summary suspension proceeding, determine whether there is probable cause to believe that a violation of this chapter has occurred and whether there is cause to believe that continued suspension is necessary. In the course of making such a decision, the chief student services officer may only consider the affidavits or oral testimony of persons who have alleged that the student charged has committed a violation of WAC 132V-120-050 and the oral testimony and affidavits submitted by the student charged.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-090, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-090, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-090, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-090, filed 12/21/84. Formerly WAC 132V-18-030.]

**WAC 132V-120-100 Decision by chief student services officer.** If the chief student services officer, following the conclusion of the summary suspension proceeding, finds that there is probable cause to believe that:

(1) The student against whom specific violations of WAC 132V-120-050 are alleged has committed one or more such violations upon any college facility; and

(2) Summary suspension of said student is necessary for the safety of the student, other students or persons on college facilities, or the educational process of the institution; and

(3) Such violation or violations constitute grounds for disciplinary action as provided for in the code of student

(2007 Ed.)

rights and responsibilities; then the chief student services officer may continue to enforce the suspension of the student from college until further disciplinary hearings or review proceedings are concluded as set forth below.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-100, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-100, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-100, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-100, filed 12/21/84. Formerly WAC 132V-18-040.]

**WAC 132V-120-110 Notice of suspension.** (1) If a student is summarily suspended pursuant to the above rules, the student will be provided with a written notice of suspension including the chief student services officer's findings of fact and conclusions which lead to the belief that the summary suspension of the student should continue in force.

(2) The student summarily suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension personally or by mail at the student's address as shown on college records within three calendar days following the conclusion of the hearing with the chief student services officer.

(3) The notice of summary suspension shall stipulate the duration of the suspension and conditions under which the suspension may be terminated.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-110, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-110, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-110, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-110, filed 12/21/84. Formerly WAC 132V-18-050.]

**WAC 132V-120-120 Suspension for failure to appear.** If the student against whom specific violations of this chapter have been alleged has been served pursuant to the notice required fails to appear at the time designated for the summary suspension proceeding, the chief student services officer is authorized to enforce the suspension of the student from college.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-120, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-120, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-120, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-120, filed 12/21/84. Formerly WAC 132V-18-060.]

**WAC 132V-120-130 Appeal of summary suspension.**

(1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the student rights and responsibilities committee. No such appeal shall be entertained, however, unless and/or until:

(a) The student has first appeared before the chief student services officer at the hearing called for in this chapter as outlined in WAC 132V-120-070 through 132V-120-110;

(b) The student has been officially notified of the outcome of this hearing;

(c) Summary suspension or a lesser disciplinary sanction has been upheld by the chief student services officer; and

(d) The appeal conforms to the standards set forth in this chapter.

(2) If the criteria in subsection (1)(a) through (d) have been met, the committee shall review, as soon as reasonably possible, the allegations contained within the notice of appeal, along with the findings of the chief student services

officer, the appropriate documentation of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified.

(3) After completion of the committee's review, the committee shall promptly notify the appealing student by mail whether the summary suspension shall be maintained, stayed, a lesser sanction imposed, or no sanction imposed. The decision of the student rights and responsibilities committee shall be final and not reviewable.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-130, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-130, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-130, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-130, filed 12/21/84. Formerly WAC 132V-18-070.]

**WAC 132V-120-140 Summary suspension proceedings not duplicative.** (1) The summary suspension proceedings shall substitute for the disciplinary proceedings provided for in this chapter (WAC 132V-120-180 through 132V-120-260). During the course of the summary suspension, the chief student services officer may refer the matter to the student rights and responsibilities committee with a recommendation for further disciplinary action. At the end of the summary suspension, the student shall be reinstated to full rights and privileges as a student, subject to whatever sanctions or conditions may have been imposed for violation of the code of student rights and responsibilities.

(2) Any disciplinary proceeding initiated against the student because of alleged violations in the course of the summary suspension proceeding provided for herein, shall be heard, *de novo*, provided, that the records made and evidence presented during the course of the student's summary suspension proceeding shall be available for the use of the parties.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-140, filed 8/6/04, effective 9/6/04; 88-23-072 (Order 88-1), § 132V-120-140, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-140, filed 12/21/84. Formerly WAC 132V-18-080.]

**WAC 132V-120-150 Purpose of disciplinary actions.** Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student at the college. In keeping with the educational purposes of the college, disciplinary action other than those requiring suspension or expulsion are intended to be remedial rather than punitive. Often disciplinary proceedings will be conducted informally between the student and the chief student services officer.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-150, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-150, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-150, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-150, filed 12/21/84. Formerly WAC 132V-16-010.]

**WAC 132V-120-160 Disciplinary action.** The following disciplinary actions are hereby established as the sanctions which may be imposed upon violators of this chapter. These sanctions are intended to be progressive, but each stands alone:

(1) Warning. Written notice to a student that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or

repetition of the specific conduct involved or other misconduct may result in one of the more serious disciplinary actions described below.

(2) Reprimand. Written action censuring a student for violation of college rules or regulations or otherwise failing to meet the college's standards of conduct. The written reprimand will be filed in the office of the chief student services officer for the duration of the student's attendance at the college. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct may result in one of the more serious disciplinary actions described below.

(3) Probation. Conditions placed upon the student's continued attendance for violation of this chapter. Notice shall be made in writing and specify the period of probation and the conditions to be met by the student. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college. Violation of the terms of the probation or the breaking of any college provision during the probation period may be grounds for additional sanctions imposed upon the student by the college.

(4) Suspension. Temporary dismissal from the college and termination of the person's student status for violation of this chapter.

(5) Expulsion. Indefinite or permanent dismissal from the college and termination of the student status of a student for violation of this chapter. Written notice shall be given which will specify any special conditions which must be met before readmission after indefinite dismissal.

(6) Sanctions for conduct in class.

(a) Each faculty member is responsible for conduct in class and is authorized to take such steps as are necessary when behavior of a student interrupts the normal class procedure. When behavior is disruptive, the faculty member may dismiss the student from class for that one class period and make every reasonable effort to resolve the situation. This includes electronically removing a disruptive student from on-line class situations. However, if the matter becomes so serious as to result in removing the student from the class for two consecutive class periods or when a pattern of periodic misconduct occurs, the faculty member is expected to report the incident to the chief student services officer in order to seek resolution to the situation and allow for due process.

(b) Consequences for academic cheating or plagiarism or dishonesty or abetting in academic dishonesty may be imposed at the discretion of a faculty member up to and including a failing grade for the course. Students should refer to each of their faculty's course syllabus.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-160, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-160, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-160, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-160, filed 12/21/84. Formerly WAC 132V-16-110.]

**WAC 132V-120-170 Initiation of disciplinary proceedings.** Any member of the college community may report alleged violations of the code of student rights and responsibilities to the chief student services officer. Alleged violations should be reported to the chief student services officer within ten instructional days of the date the person became

aware or reasonably can be expected to have become aware of the alleged violation of code.

During the investigation of the matter, the status of the student who has allegedly violated the code shall remain unaltered and his or her right to be present on campus and to attend classes will remain unchanged except for students placed on summary suspension.

All disciplinary proceedings will be initiated by the chief student services officer if there is reasonable cause to believe that a student has violated any provision of this code.

[Statutory Authority: RCW 28B.50.140(13), 04-17-017, § 132V-120-170, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-170, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-170, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-170, filed 12/21/84. Formerly WAC 132V-16-020.]

#### **WAC 132V-120-180 Disciplinary proceedings. (1)**

Written notification: Any student charged with a violation shall receive written notification delivered to the student personally or by mail to the student's address as shown on college records no later than fourteen calendar days after a reported violation. Notice shall:

(a) Inform the student that a complaint has been filed and specify the alleged violation(s) and the date of the alleged violation(s);

(b) Specify the time, date, and place of a required conference between the student and chief student services officer or designee;

(2) Conference with the chief student services officer or designee. At an initial meeting with the chief student services officer/designee, the student will be informed of the alleged violations of the code of student rights and responsibilities, the possible consequences, and an explanation of the hearing process in the event that disciplinary proceedings are taken. This is also an opportunity for the accused student to present his/her information regarding the allegation. Upon review of all available information, the following actions may be taken by the chief student services officer, and the student will be so informed:

(a) Terminate the proceedings, exonerating the student;

(b) Dismiss the case either due to insufficient and/or conflicting evidence or after appropriate advising of the accused student;

(c) Continue to investigate the matter further until resolution is reached;

(d) Impose a disciplinary warning or reprimand on the student;

(e) Inform the student that disciplinary action as outlined in the chapter will be sought, in which case the student will receive written notification of the hearing process, date, time and location of the hearing, possible sanctions that may be imposed for the alleged violations.

(3) Continue with disciplinary proceedings. If it is determined that disciplinary probation, suspension or expulsion will be considered, the accused student will have five calendar days to submit all evidence pertaining to the alleged violation to the chief student services officer. After considering the evidence and interviewing persons as appropriate, the chief student services officer may take one of the following actions, and the student will be so informed:

(a) Terminate the proceedings, exonerating the student; or

(b) Impose disciplinary sanctions as provided for in this chapter; or

(c) Refer the matter to the student rights and responsibilities committee.

(4) If the student against whom specific violations of this chapter have been alleged has been served pursuant to the notice required and fails to appear or fails to follow the process set forth in this chapter, the chief student services officer or designee is authorized to proceed with making findings of fact, conclusions or decisions as set forth in the established process.

[Statutory Authority: RCW 28B.50.140(13), 04-17-017, § 132V-120-180, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-180, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-180, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-180, filed 12/21/84. Formerly WAC 132V-16-030.]

#### **WAC 132V-120-200 Composition of student rights and responsibilities committee. (1) Composition.**

The college shall have a student rights and responsibilities committee composed of five members, who shall be chosen and appointed by October 1 of each year. The membership of the committee shall consist of one member of the administration, excepting the chief student services officer, chosen by the president; two faculty members chosen by the chief academic affairs officer; and two students chosen by the president of the associated student body.

(2) Chairperson. The committee shall elect its own chairperson for each case brought before it.

(3) Quorum. A quorum shall consist of no less than three members, provided that such quorum shall include at least one student, one faculty member and one administrator.

(4) Substitutes.

(a) Any member of the committee having direct knowledge or involvement in a case under consideration may be excused from participation in the hearing or appeal and a substitute appointed.

(b) Substitutes may be appointed to form a quorum.

(5) Advisory capabilities. The committee may use the services of an assistant attorney general to advise it.

[Statutory Authority: RCW 28B.50.140(13), 04-17-017, § 132V-120-200, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-200, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-200, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-200, filed 12/21/84. Formerly WAC 132V-16-050.]

#### **WAC 132V-120-210 Hearing procedures before the student rights and responsibilities committee. (1)**

The student rights and responsibilities committee shall hear, *de novo*, any disciplinary cases referred to it by the chief student services officer or designee or appealed to it by a student against whom disciplinary action has been taken.

(2) At least seven calendar days in advance, written notice of the hearing shall be delivered to the student personally or by mail to the student's address as shown on college records. Such notification shall contain the time, date and location of the hearing; the specific charges against him/her; and, upon request, reasonable access to the list of witnesses who will appear or provide written testimony and a summary

of the description of any document or other physical evidence that will be presented by the college at the hearing.

(3) The student has the right to a fair and impartial hearing before the committee. The student's failure to cooperate with the hearing procedures, however, shall not preclude a quorum of the committee from making its findings of fact, conclusions and decisions as provided below.

(4) The student may be advised by counsel of his or her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in the state of Washington as counsel, notice thereof must be tendered by the student to the chief student services officer at least five calendar days prior to the hearing.

(5) In all disciplinary proceedings, the college will be represented by the chief student services officer who will present the college's case against the student accused of violating provisions of this chapter; provided, that in those cases in which the student elects to be represented by a licensed attorney, the chief student services officer may elect to have the college represented by an assistant attorney general.

(6) The student shall be entitled to present evidence in their own behalf and to cross-examine witnesses testifying on behalf of the other party.

(7) The student shall be limited to calling two character witnesses.

(8) The chief student services officer shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts, and testimony presented to the committee during the course of the hearing. The proceedings of the hearing shall also be tape recorded.

(9) All records of disciplinary proceedings shall be maintained in the office of the chief student services officer and shall be available only during the course of the disciplinary proceedings to the committee, the student, and his/her attorney, the chief student services officer, and any other college official deemed appropriate by the chief student services officer.

(10) Following the final disposition and any appeals of the disciplinary proceedings, access to records of the case and hearing files will be limited to persons designated by the chief student services officer.

(11) Following final disposition of the case and any appeals therefrom, the chief student services officer may direct the destruction of any records of disciplinary proceedings, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.

(12) The time of the hearing may be changed by the committee at the request of any party for good cause.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-210, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-210, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-210, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-210, filed 12/21/84. Formerly WAC 132V-16-060.]

**WAC 132V-120-220 Conduct of hearings.** (1) Hearings will be held in closed session. The student who is charged with violation of this chapter may invite a personal advisor to attend the hearings. All parties shall be excluded during the committee's deliberation.

(2) The chairperson shall exercise control over the hearing. Any person, including the student, who disrupts a hear-

ing or who fails to adhere to the rulings of the chairperson may be excluded from the proceedings and may be subject to disciplinary action as set forth in this chapter.

(3) The college may elect to have security in attendance at the hearing.

(4) In the event a student is registered exclusively in on-line course work and is not able to come to the campus for a hearing, the chairperson may elect to conduct the hearing through an alternate medium such as a video conferencing service.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-220, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-220, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-220, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-220, filed 12/21/84. Formerly WAC 132V-16-070.]

**WAC 132V-120-230 Evidence admissible in hearings.** (1) Only that evidence presented at the hearing will be considered in determining whether the accused student violated the provision of this code as charged.

(2) The committee shall be the exclusive judge of the evidence and the weight to be assigned to it. Credible hearsay is admissible into evidence. The college shall bear the burden of proof by a preponderance of evidence to sustain the charges against the accused student.

(3) The chairperson of the hearing committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(4) Evidence or testimony to be offered by or on behalf of the student in extenuation or mitigation shall not be presented or considered until all substantive evidence or testimony has been presented.

[Statutory Authority: RCW 28B.50.140(13). 88-23-072 (Order 88-1), § 132V-120-230, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-230, filed 12/21/84. Formerly WAC 132V-16-080.]

**WAC 132V-120-240 Decision by the committee.** After considering the evidence in the case and hearing the testimony of the student or students involved and witnesses, if any, the committee shall decide by majority vote whether to:

(1) Exonerate the student and terminate the proceedings; or

(2) Uphold the decision of the chief student services officer; or

(3) Conclude that the student has violated the code of student rights and responsibilities as described in WAC 132V-120-050.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-240, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-240, filed 11/21/01, effective 12/22/01; 88-23-072 (Order 88-1), § 132V-120-240, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-240, filed 12/21/84. Formerly WAC 132V-16-090.]

**WAC 132V-120-241 Notification of decision and sanctions imposed.** (1) Final decision of the committee, including findings of fact or reasons for the decision, shall be delivered to the student personally or by mail to the student's address as shown on college records and a copy filed with the office of the chief student services officer. The committee

shall also advise the student in writing of his or her right to appeal the decision.

(2) Based on the final decision of the committee, including findings of fact or reasons for the decision, the chief student services officer will impose disciplinary sanctions as provided in WAC 132V-120-160 and based on established guidelines. The student will receive written notice either delivered personally or by mail to the student's address as shown on college records.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-241, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-241, filed 11/21/01, effective 12/22/01.]

**WAC 132V-120-245 Appeal process.** (1) Any appeal pursuant to this chapter must be in writing and clearly state the alleged errors or other matters which justify the appeal; and

(2) Said appeal must be filed with the chief student services officer within seven calendar days from the date of the notice of disciplinary action.

(3) Appeals of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary action taken by the chief student services officer may be appealed to the student rights and responsibilities committee;

(b) The chief student services officer may defer the alleged violation to the student rights and responsibilities committee, in which case any decision made by the student rights and responsibilities committee shall be final except for the procedural appeal described in subsection (4) of this section.

(4) Any student who has had disciplinary sanctions placed on him/her, other than summary suspension, may request a procedural review of the disciplinary process by the president to insure the student has been afforded due process as outlined in this chapter.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-245, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-245, filed 11/21/01, effective 12/22/01.]

**WAC 132V-120-260 Suspension—Reestablishment of academic standing.** A student who has been suspended or expelled pursuant to disciplinary procedures set forth in this chapter and whose suspension or expulsion upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake exams or otherwise complete course offerings missed by reason of such action.

[Statutory Authority: RCW 28B.50.140(13). 88-23-072 (Order 88-1), § 132V-120-260, filed 11/17/88; 85-02-004 (Order 84-1), § 132V-120-260, filed 12/21/84. Formerly WAC 132V-16-130.]

**WAC 132V-120-270 Student grievances.** The purpose of this section is to protect each student's freedom of expression in the classroom; to protect each student against improper disclosure of the student's views, beliefs and political associations; and to afford each student reasonable protection against arbitrary or capricious actions taken by employees of the college community. In instances involving final course grade disputes, an academic grievance process

has been established by the college (WAC 132V-120-330 through 132V-120-340). This process emphasizes an informal resolution.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-270, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-270, filed 11/21/01, effective 12/22/01; 93-20-029, § 132V-120-270, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-270, filed 12/21/84.]

**WAC 132V-120-280 Grievances excluded from this section.** (1) A student may not use the provisions of this section as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of this student rights and responsibilities code.

(2) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Community College District 22, shall not be grievable matters.

(3) For the purpose of final course grade disputes, a student shall use the established academic grievance process (WAC 132V-120-330 through 132V-120-340).

(4) For the purpose of filing a grievance due to sexual harassment, sex discrimination, or handicapped discrimination, a student shall use the provisions of the established college grievance procedures on sexual harassment, sex discrimination, and handicapped discrimination, WAC 132V-300-010 to 132V-300-030, not the provisions of this section.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-280, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-280, filed 11/21/01, effective 12/22/01; 93-20-029, § 132V-120-280, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-280, filed 12/21/84.]

**WAC 132V-120-290 Grievance procedures.** Internal review and consultative processes have proven to be a desirable means of resolving problems. If a student believes he or she has been unfairly treated by a faculty member, member of the college staff, or administrator, the student is encouraged to resolve the complaint with the individual toward whom the grievance is directed. The student shall take this action within five instructional days following the incident. If the complaint is not resolved, the student is encouraged to seek informal resolution through the appropriate division manager. The student may choose to lodge a formal grievance according to the following procedures:

Step 1: The student may, within ten instructional days following the incident, present his/her complaint in writing to the appropriate division manager. The student shall present a written, signed statement of the nature of the grievance, a summary of actions taken by the student to resolve the grievance up to that point, and any proposed solution to the problem the grievant may wish to offer.

Step 2: Within ten instructional days of receiving the grievance, the appropriate division manager shall hold a meeting to hear the complaint. It shall be at the discretion of the division manager to determine whether he/she will meet with the grievant and the person to whom the complaint has been directed separately or in a joint meeting.

At this step and all subsequent steps in the grievance procedure, the grievant may elect to be represented by an attorney in preparing and presenting the grievance. The grievant

shall notify the appropriate division manager at least five instructional days in advance of such action. In such cases, the college may choose to be assisted by an assistant attorney general.

Following the meeting or meetings, and within ten instructional days, the division manager will report his/her findings and the actions, where appropriate, to be implemented to resolve the grievance in writing to the grievant and the person to whom the complaint is directed.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-290, filed 8/6/04, effective 9/6/04; 01-24-004, § 132V-120-290, filed 11/21/01, effective 12/22/01; 93-20-029, § 132V-120-290, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-290, filed 12/21/84.]

**WAC 132V-120-295 Grievance procedures appeal process.** The outcome of the grievance process may be appealed to the appropriate administrative officer by any party to the grievance no later than five instructional days following notification after the division manager's determination. Such an appeal must be in writing and clearly set forth the reason for the appeal.

Upon receiving the appeal, the administrative officer will review the original grievance and determination, any evidence submitted in connection with the original grievance, and the appeal. Evidence not presented in the original grievance will not be considered in the appeal process unless exceptional circumstances are shown by the college. The administrative officer will respond to the appeal by either:

- (1) Making a final decision; or
- (2) Convening a hearing committee to consider the appeal.

In the first case, making a final determination, the administrative officer will provide a decision in writing to parties of the grievance within ten instructional days following receipt of the appeal. The decision of the administrative officer is final and is not subject to further appeal.

In the second case, the administrative officer will convene a hearing committee to consider the appeal within ten instructional days of receiving the appeal. The committee will consist of the following members: Three student representatives, chosen by the president of the associated student body; two faculty or staff representatives (dependent upon the nature of the grievance), appointed by the appropriate administrative officer; two administrators, appointed by the president. The committee may meet and deliberate if a quorum, defined as one person from each category identified above, is present. No member of the hearing committee will have any previous knowledge of the grievance. The proceedings of the hearing shall be tape-recorded. If the person to whom the complaint has been directed fails to appear for the hearing, the chair is authorized to proceed with the hearing.

The committee will elect its own chairperson for each case brought before it. The committee will hear testimony and examine evidence regarding the grievance; deliberate; and decide the issue by majority vote. The hearing committee will notify the parties involved of its decision in writing within five instructional days of the hearing. Findings of fact will be included when informing the student and faculty member, member of the college staff, or administrator involved. The decision of the hearing committee is final and is not subject to further appeal.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-295, filed 8/6/04, effective 9/6/04.]

**WAC 132V-120-300 Final decision regarding student grievances.** The written findings of the administrative officer or hearing committee appeal will be considered final. No further intra-institutional appeal exists.

Depending on the findings, disciplinary proceedings may be commenced against the person pursuant to appropriate procedures.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-300, filed 8/6/04, effective 9/6/04; 93-20-029, § 132V-120-300, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-300, filed 12/21/84.]

**WAC 132V-120-310 Nature of grievance proceedings.** All hearings resulting from a student-initiated grievance, including appeals to the administrative officer, may be open with the approval of both parties. All written records growing out of a student-initiated grievance, including appeals to the office of the president, are discloseable only in accordance with applicable law.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-310, filed 8/6/04, effective 9/6/04; 93-20-029, § 132V-120-310, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-310, filed 12/21/84.]

**WAC 132V-120-320 Withdrawal of grievance.** (1) At any time during the grievance procedure, the grievant may officially withdraw the grievance in writing.

(2) In the event the grievant fails to appear for any scheduled meeting or hearing without prior notification or evidence of extenuating circumstances, this shall be considered to constitute withdrawal of the grievance.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-320, filed 8/6/04, effective 9/6/04; 93-20-029, § 132V-120-320, filed 9/27/93, effective 10/28/93; 85-02-004 (Order 84-1), § 132V-120-320, filed 12/21/84.]

**WAC 132V-120-335 Student grievance procedure for final course grades.** Students who believe they have received a final course grade that has been awarded improperly or in an arbitrary or capricious manner may grieve or appeal the grade by referring to the following process.

The student should first discuss the grade, including the reason the student feels the grade has been awarded improperly or in an arbitrary or capricious manner, with the course instructor. Most misunderstandings related to final course grades can be resolved at this level. This must occur no later than ten instructional days after the beginning of the academic quarter following the quarter for which the grade was assigned. For this purpose, fall quarter is considered to be the academic quarter following both summer and spring quarters.

If the issue is not resolved with the instructor, or the instructor is not available, the student should discuss the grade with the chair of the department through which the course was offered. This must occur no later than fifteen instructional days after the beginning of the academic quarter following the quarter for which the grade was assigned. For this purpose, fall quarter is considered to be the academic quarter following both summer and spring quarters. If the department chair is unavailable or the issue is not resolved

with the department chair, the student may choose to go through the final course grade grievance process.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-335, filed 8/6/04, effective 9/6/04.]

**WAC 132V-120-340 Final course grade grievance process.** To initiate the final course grade grievance process, the student must present a written grade grievance to the dean or manager of the division through which the course was offered, or his or her designee. This must occur no later than twenty instructional days after the beginning of the academic quarter following the quarter for which the grade was assigned. For this purpose, fall quarter is considered to be the academic quarter following both summer and spring quarters. The grievance should clearly explain why the student feels the grade has been improperly or arbitrarily or capriciously awarded, the issues upon which the grievance is based, what the student has done to resolve these issues, and what remedy the student is seeking. All documentation relevant to the student's case, including course syllabus, should be attached to the written grievance.

The dean or manager of the division will investigate the grade grievance and meet with the student and faculty member to discuss the grade no later than ten instructional days after receiving the written grievance. The division manager will make an official determination regarding the grievance and notify the student and faculty involved in writing no later than five instructional days after meeting with the student. Findings of fact will be included when informing the student and faculty involved.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-340, filed 8/6/04, effective 9/6/04.]

**WAC 132V-120-345 Final course grade grievance appeal process.** The outcome of the final course grade grievance process may be appealed to the chief academic officer, or his or her designee, by any party to the grievance no later than five instructional days following notification after the division dean or manager's determination. Such an appeal must be in writing and clearly set forth the reason for the appeal.

Upon receiving the appeal, the chief academic officer, or his or her designee, will review the original grievance and determination, any evidence submitted in connection with the original grievance, and the appeal. Evidence not presented in the original grievance will not be considered in the appeal process unless exceptional circumstances are shown by the college. The chief academic officer, or his or her designee, will respond to the appeal by either:

- (1) Making a final decision; or
- (2) Convening a hearing committee to consider the appeal.

In the first case, making a final determination, the chief academic officer, or his or her designee, will provide a decision in writing to all parties of the grievance within ten instructional days following receipt of the appeal. The decision of the chief academic officer, or his or her designee, is final and is not subject to further appeal.

In the second case, the chief academic officer, or his or her designee, will convene a hearing committee to consider the appeal within ten instructional days of receiving the

(2007 Ed.)

appeal. The committee will consist of the following members: Two student representatives, chosen by the president of the associated student body; two faculty representatives, appointed by the chief academic officer; and one instructional administrator, appointed by the chief academic officer. The committee may meet and deliberate if a quorum, defined as one person from each category identified above, is present. No member of the hearing committee will have any previous knowledge of the grievance.

The committee will elect its own chairperson for each case brought before it. The committee will hear testimony and examine evidence regarding the grievance; deliberate; and decide the issue by majority vote. The hearing committee will notify the student and faculty involved of its decision in writing within five instructional days of the hearing. Findings of fact will be included when informing the student and faculty involved. The decision of the hearing committee is final and is not subject to further appeal.

[Statutory Authority: RCW 28B.50.140(13). 04-17-017, § 132V-120-345, filed 8/6/04, effective 9/6/04.]

## Chapter 132V-130 WAC HAZING POLICY

### WAC

132V-130-010	Hazing prohibited.
132V-130-020	Penalties.
132V-130-030	Sanctions for impermissible conduct not amounting to hazing.

**WAC 132V-130-010 Hazing prohibited.** (1) Hazing is prohibited at Tacoma Community College.

(2) Hazing means any method of initiation into a student group or any pastime or amusement engaged in with respect to such a group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending any institution of higher education or postsecondary education. Excluded from this definition are "customary athletic events or other similar contests or competitions."

[Statutory Authority: SSB 5075 passed by the 1993 legislature. 96-16-036, § 132V-130-010, filed 8/1/96, effective 9/1/96.]

**WAC 132V-130-020 Penalties.** (1) The Tacoma Community College code of student rights and responsibilities process is applicable to hazing violations.

(2) Hazing violations are also misdemeanors punishable under state criminal law according to RCW 9A.20.021.

(3) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships or awards for a period of time to be determined based upon the seriousness of the violation.

(4) Any student group that knowingly permits hazing shall:

(a) Be liable for harm caused to persons or property resulting from hazing; and

(b) Be denied recognition by Tacoma Community College as an official student group on campus. If the student group is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages. All college funding shall be frozen

[Title 132V WAC—p. 31]

for any official student group alleged to have committed a hazing violation.

(5) Forfeiture of college funding, state-funded grants, scholarships or awards shall continue for a minimum of one quarter up to and including permanent forfeiture as determined by the Tacoma Community College student rights and responsibilities process based upon the seriousness of the violations.

[Statutory Authority: 1993 c 514, 04-17-016, § 132V-130-020, filed 8/6/04, effective 9/6/04; 96-16-036, § 132V-130-020, filed 8/1/96, effective 9/1/96.]

**WAC 132V-130-030 Sanctions for impermissible conduct not amounting to hazing.** (1) Impermissible conduct associated with initiation into a student group or any pastime or amusement engaged in, with respect to the group, will not be tolerated.

(2) Impermissible conduct which does not amount to hazing may include conduct which causes embarrassment, sleep deprivation or personal humiliation, or may include ridicule or unprotected speech amounting to verbal abuse.

(3) Impermissible conduct not amounting to hazing is subject to any sanctions available under the Tacoma Community College code of student rights and responsibilities, depending upon the seriousness of the violation.

[Statutory Authority: SSB 5075 passed by the 1993 legislature. 96-16-036, § 132V-130-030, filed 8/1/96, effective 9/1/96.]

## Chapter 132V-300 WAC

### GRIEVANCE PROCEDURE—SEXUAL HARASSMENT, SEX DISCRIMINATION, AND DISABILITY DISCRIMINATION

#### WAC

132V-300-010	Statement of policy.
132V-300-020	Jurisdiction.
132V-300-030	Grievance procedure.
132V-300-035	Procedural appeal to the student rights and responsibilities hearing committee.

**WAC 132V-300-010 Statement of policy.** Tacoma Community College is covered by Title IX of the Education Amendments of 1972 prohibiting sex discrimination in education and Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of a documented disability. The college is committed to protecting the rights and dignity of each individual in the campus community and so will not tolerate discrimination of any kind, at any level.

It is the policy of Tacoma Community College to provide an environment in which students and applicants for admission can attend the college free from sexual harassment or sexual intimidation and discrimination on the basis of a documented disability. Persons found to have engaged in discriminatory acts will be subject to corrective action up to and including termination, suspension or expulsion from the college pursuant to appropriate procedures depending on their status as an employee or a student.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic standing; or

(2) Submission to or rejection of such conduct by an individual is used as the basis for academic decision affecting such individual; or

(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, or offensive educational environment.

As an institution of higher education, Tacoma Community College shall ensure that students with documented disabilities are reasonably accommodated with appropriate core services and services necessary to ensure equal success. Such accommodating will be provided in a timely manner.

[Statutory Authority: RCW 28B.50.140(13), 01-24-005, § 132V-300-010, filed 11/21/01, effective 12/22/01; 93-20-028, § 132V-300-010, filed 9/27/93, effective 10/28/93; 93-03-078, § 132V-300-010, filed 1/19/93, effective 2/19/93.]

**WAC 132V-300-020 Jurisdiction.** This chapter shall serve as a Title IX/Section 504 grievance procedure for all enrolled students of and applicants for admission to Tacoma Community College.

[Statutory Authority: RCW 28B.50.140(13), 01-24-005, § 132V-300-020, filed 11/21/01, effective 12/22/01; 93-03-078, § 132V-300-020, filed 1/19/93, effective 2/19/93.]

**WAC 132V-300-030 Grievance procedure.** Internal review and consultative processes have proven to be a desirable means of resolving problems. Any enrolled student or applicant for admission to Tacoma Community College who believes he/she has been discriminated against on the basis of sex or on the basis of a disability is encouraged to resolve the complaint with the individual believed to have committed the discriminatory act. The dean for student services or designee is available to assist in resolving the complaint. At any point in the grievance process where resolution is obtained the process will be stopped. The process could also be stopped if the complainant makes such a request. Flexibility in the grievance process is important due to the sensitivity of the issues and the individuality of each situation. The following steps are guidelines useful in proceeding with the grievance process:

(1) Step 1: Filing the complaint with the college official.

(a) Sexual discrimination/harassment complaints shall be lodged with the Title IX officer. Disability discrimination complaints shall be lodged with the 504 officer.

(b) The complainant shall file a written complaint with the designated college officer describing the specific grievance(s), including dates, times, places, circumstances, and any witnesses. A copy of the written complaint will be provided to the person to whom the grievance is directed, referred to as the respondent.

(2) Step 2: Within ten instructional days of receiving the written complaint, the designated college officer shall arrange a meeting to hear the complaint and initiate an investigation if warranted. It shall be at the discretion of the college official to determine whether the officer will meet with the complainant and the respondent separately or in a single meeting. Throughout the investigation, the college official may call witnesses, including those persons identified by the complainant and by the respondent, as well as any other persons who may have information relevant to the investigation.



At this step and all subsequent steps in the grievance procedure, the complainant may elect to be advised by an attorney or other advocate in preparing and presenting the grievance. The respondent may choose to be represented by his/her union if a member of a recognized union with the college or may be advised by an attorney in preparing and responding to the grievance. The complainant or respondent shall notify the appropriate college officer at least five instructional days in advance if he/she is being advised by an attorney. In any case, the college may choose to be assisted by an assistant attorney general.

(3) Step 3: Following the investigation and within thirty calendar days of receiving the written request, the college officer will report his/her findings, conclusions and any actions taken by the college to resolve the complaint in writing to both the complainant and the respondent. This decision is final. The complainant or student respondent may, however, appeal concerns to the student rights and responsibilities hearing committee.

[Statutory Authority: RCW 28B.50.140(13), 01-24-005, § 132V-300-030, filed 11/21/01, effective 12/22/01; 93-20-028, § 132V-300-030, filed 9/27/93, effective 10/28/93; 93-03-078, § 132V-300-030, filed 1/19/93, effective 2/19/93.]

**WAC 132V-300-035 Procedural appeal to the student rights and responsibilities hearing committee.** Either the complainant or the student respondent may appeal a procedural concern(s) to the student rights and responsibilities hearing committee.

(1) Step 1: The appeal must be submitted in writing through the office of the dean for student services within ten calendar days of written notification of the results of the investigation by the college official.

(2) Step 2: Within ten calendar days of receiving the appeal request, the student rights and responsibilities hearing committee will review the investigation process and report in writing a recommendation to the college official with a copy to both the complainant and the respondent.

(3) Step 3: Within ten calendar days the college official shall review the recommendation of the student rights and responsibilities hearing committee and make a final determination whether to uphold or reopen the investigation. The decision of the college officer shall be final.

If desired, inquiries or appeals beyond the institutional level may be directed to:

(a) United States Department of Education, Office of Civil Rights, 915 2nd Avenue, Room 3310, Seattle, Washington 98174-1099.

(b) United States Equal Employment Opportunity Commission, 909 First Avenue, Suite 404, Seattle, Washington 98104.

(c) The Washington State Human Rights Commission, 711 South Capitol Way, Suite 402, PO Box 42490, FJ-41, Olympia, Washington 98504-2490.

(d) City of Tacoma, Human Rights Department, 747 Market Street, Room 808, Tacoma, Washington 98402.

(e) Current telephone numbers for the above agencies are available in the office of the dean for student services.

[Statutory Authority: RCW 28B.50.140(13), 01-24-005, § 132V-300-035, filed 11/21/01, effective 12/22/01.]

(2007 Ed.)

## Chapter 132V-325 WAC

### STATE ENVIRONMENTAL POLICY ACT

#### WAC

132V-325-010	Authority.
132V-325-020	Responsibility.

**WAC 132V-325-010 Authority.** It shall be the policy of Community College District 22 that capital projects proposed and developed by the district shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter 197-10 WAC, guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the state board for community college education. (Tacoma Community College Board Policy, Chapter VIII, Section 8.3030; 10-76.)

[Order 77-1, § 132V-325-010, filed 6/3/77.]

**WAC 132V-325-020 Responsibility.** In compliance with WAC 197-10-820, the district president or an administrative officer designated by the district president shall be the official responsible for carrying out this policy.

[Order 77-1, § 132V-325-020, filed 6/3/77.]

## Chapter 132V-400 WAC

### LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

#### WAC

132V-400-010	Grounds for ineligibility.
132V-400-020	Initiation of ineligibility proceedings.
132V-400-030	Ineligibility proceedings.
132V-400-040	Decision.

**WAC 132V-400-010 Grounds for ineligibility.** Any student found to have violated chapter 69.41 RCW, legend drugs, by virtue of a criminal conviction or by decision of the college's designated presiding officer, shall be disqualified from participation in any school-sponsored athletic events or activities.

[Statutory Authority: RCW 28B.50.140(13), 01-24-006, § 132V-400-010, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-010, filed 3/16/90, effective 4/16/90.]

**WAC 132V-400-020 Initiation of ineligibility proceedings.** Any officer of the college or college staff shall have authority to request the commencement of athletic ineligibility hearing proceedings whenever he or she has reasonable cause to believe that the student has violated chapter 69.41 RCW or upon receipt of notice from any source that the student has been convicted of violating chapter 69.41 RCW. Requests to initiate athletic ineligibility hearing proceedings should be submitted to the dean for student services within ten instructional days of the date the person becomes aware of the alleged violation or conviction of chapter 69.41 RCW.

[Statutory Authority: RCW 28B.50.140(13), 01-24-006, § 132V-400-020, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-020, filed 3/16/90, effective 4/16/90.]

**WAC 132V-400-030 Ineligibility proceedings.** The dean for student services shall designate a presiding officer who shall be a college officer who is not involved with the

[Title 132V WAC—p. 33]

athletic program to conduct a brief adjudicative hearing. Within ten calendar days the presiding officer shall conduct the hearing and permit the affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482-34.05.494.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-030, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-030, filed 3/16/90, effective 4/16/90.]

**WAC 132V-400-040 Decision.** Within ten calendar days of the conclusion of the brief adjudicative proceedings, the presiding officer shall give each party a written decision which shall include a brief statement of the reasons for the decision and, in the event of a decision adverse to the student, the period of loss of eligibility to participate in college-supervised athletic events or activities. Any party shall have the right to present, within five calendar days of notification of the presiding officer's decision, a written request for review directed to the dean for student services appealing the decision or the period of loss of eligibility. The request for review shall explain the party's view of the matter. The dean's decision on the appeal will be in writing, including a brief statement of the reasons for the decision and will be the final decision of the college.

[Statutory Authority: RCW 28B.50.140(13). 01-24-006, § 132V-400-040, filed 11/21/01, effective 12/22/01; 90-07-038, § 132V-400-040, filed 3/16/90, effective 4/16/90.]